

THURSDAY, JUNE 20, 1991

FIFTY-THIRD LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by James Harris, Nashville Road Church of Christ.

Representative Randy Stamps led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Cross; due to illness.

Representative Dixon; due to prior commitments in district.

REPORT OF CHIEF ENGROSSING CLERK  
June 19, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House

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Bill(s) No(s). 519; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**June 19, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 85; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SIGNED**  
**June 19, 1991**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 85.

**ENROLLED BILLS**  
**June 19, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 62, 322, 440, 867, 912, 1228 and 1361; House Resolution(s) No(s). 133; also, House Joint Resolution(s) No(s). 33, 236, 269, 298, 406, 414, 415, 416, 417, 419, 420, 421, 422 and 423; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**  
**June 19, 1991**

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar for Thursday, June 20, 1991**: House Bill(s) No(s). 1524, 697, 1640 and 759; Senate Bill No. 308; also, Senate Joint Resolution No. 239.

We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar for Thursday, June 20, 1991**: Senate Joint Resolution(s) No(s). 80, 128 and 246.

PHILLIPS, Chair.

**RULES SUSPENDED**

Rep. Purcell moved that the Clerk compile a Special Consent

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Calendar of all congratulatory and memorializing resolutions lying on the desk to be acted on later in the day, which motion prevailed.

**CONSENT CALENDAR**

**\*Senate Joint Resolution No. 0080** -- General Assembly, Confirmation of Appointment -- Judy Gail Beasley, state board of education.

**\*Senate Joint Resolution No. 0128** -- Memorials, Government Officials -- Directs state board of education to appoint task force to study dyslexia.

**\*Senate Joint Resolution No. 0246** -- Highway Signs -- Mayor Ryan Holley By-Pass.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**MOTION TO RECESS**

On motion of Rep. Chiles, the House recessed until 10:30 a.m.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr.

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Speaker Naifeh.

On motion of Rep. Chiles, the roll call was dispensed with.

**SPECIAL CONSENT CALENDAR**

**House Resolution No. 0134** -- Memorials, Death -- Mary Nell Chambers. by \*Rinks.

Introduced; placed on special consent calendar.

**House Resolution No. 0135** -- Memorials, Interns -- Timothy Glenn Spence. by \*Herron.

Introduced; placed on special consent calendar.

**House Resolution No. 0136** -- Memorials, Public Service -- Pastor A. Richard Smith. by \*Curlee.

Introduced; placed on special consent calendar.

**House Resolution No. 0137** -- Memorials, Professional and Business Achievement -- Judge Penny Harrington, Speaker of House of Delegates of Bar Association. by \*Love.

Introduced; placed on special consent calendar.

**House Resolution No. 0138** -- Memorials, Heroism -- Sid Doty. by \*Love.

Introduced; placed on special consent calendar.

**House Resolution No. 0139** -- Memorials, Public Service -- Officer Mark Moore. by \*Williams M.

Introduced; placed on special consent calendar.

**House Resolution No. 0140** -- Memorials, Public Service -- General Carl Wade Stiner. by \*Williams M.

Introduced; placed on special consent calendar.

**House Resolution No. 0141** -- Memorials, Sports -- Coach George Lowe. by \*Windle.

Introduced; placed on special consent calendar.

**House Resolution No. 0142** -- Memorials, Heroism -- Morgan Countians in Operation Desert Storm. by \*Windle.

Introduced; placed on special consent calendar.

**House Resolution No. 0143** -- Memorials, Retirement -- Joe Cannon. by \*Allen.

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Introduced; placed on special consent calendar.

**House Resolution No. 0144** -- Memorials, Personal Occasion -- Avery and Willie Mae Hunt, fiftieth wedding anniversary. by \*Rigsby.

Introduced; placed on special consent calendar.

**House Joint Resolution No. 0433** -- Memorials, Death -- Starr Clemons Bumbalough. by \*Purcell, \*Rhinehart, \*Naifeh, \*Herron.

Introduced; placed on special consent calendar.

**House Joint Resolution No. 0434** -- Memorials, Heroism -- Sid Doty. by \*Love.

Introduced; placed on special consent calendar.

**House Joint Resolution No. 0435** -- Memorials, Professional and Business Achievement -- Judge Penny Harrington, Speaker of House of Delegates of Bar Association. by \*Love.

Introduced; placed on special consent calendar.

**House Joint Resolution No. 0437** -- Memorials, Death -- Georgia Johnson Dixon of Memphis. by \*Jones R, \*DeBerry, \*Turner L.

Introduced; placed on special consent calendar.

**House Joint Resolution No. 0438** -- Memorials, Personal Occasion -- Dr. Jimmy Hayes. by \*Robinson Robb, \*Garrett, \*Clark, \*West, \*Arriola, \*Halteman, \*Odom, \*Purcell.

Introduced; placed on special consent calendar.

**House Joint Resolution No. 0439** -- Memorials, Professional and Business Achievement -- John Wade Tucker, Man of the Year. by \*Davis Ray.

Introduced; placed on special consent calendar.

Rep. Phillips moved that all resolutions on the Special Consent Calendar be introduced, immediately considered, and that pursuant to **Rule No. 50**, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Special Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman,

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Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE MESSAGES**

**\*Senate Bill No. 0278** -- Sewage -- Revises dates for certain types of subsurface sewage disposal system permits. Amends TCA, Title 68, Ch. 13, Pt. 4.

**CONFERENCE COMMITTEE APPOINTED  
ON SENATE BILL NO. 278**

Pursuant to **Rule No. 73**, Representative Duer moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 278, which motion prevailed.

The Speaker appointed Representatives Bell, Kernell and Duer as the House members of the Conference Committee on Senate Bill No. 278.

**Senate Bill No. 0715** -- Metropolitan Government -- Increases penalty for violation of adult entertainment laws from \$50 fine to Class C misdemeanor. Same as SB 788. Amends TCA, Title 7.

**CONFERENCE COMMITTEE APPOINTED  
ON SENATE BILL NO. 715**

Pursuant to **Rule No. 73**, Representative Odom moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 715, which motion prevailed.

The Speaker appointed Representatives Arriola, Odom and Robinson (Davidson) as the House members of the Conference Committee on Senate Bill No. 715.

**REGULAR CALENDAR**

**\*Senate Bill No. 0308** -- Alcoholic Beverages -- Removes bond requirements for licensees. Repeals TCA 57-3-209.

Further consideration of Senate Bill No. 308, previously

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considered on May 30, 1991, at which time it was substituted for House Bill No. 516; failed for lack of a constitutional majority and was re-referred to the Calendar and Rules Committee; then placed on the Calendar for June 20, 1991.

Rep. King moved that **Senate Bill No. 308** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	50
Noes. . . . .	32
Present and not voting. . . . .	4

Representatives voting aye were: Allen, Armstrong, Arriola, Bivens, Buck, Callicott, Chiles, Chumney, Clark, Cole, Collier, Crain, Davis (Gibson), DeBerry, Fowlkes, Garrett, Hargrove, Hassell, Head, Hillis, Holt, Jackson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Love, Moore, Napier, Niceley, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Shelby), Mr. Speaker Naifeh -- 50.

Representatives voting no were: Anderson, Bell, Byrd, Curlee, Davidson, Davis (Knox), Ferguson, Givens, Gunnels, Haley, Halteman, Harrill, Hill, Holcomb, Hubbard, Huskey, Joyce, McAfee, McDaniel, McKee, Meyer, Nuber, Rinks, Sipes, Stamps, Tullos, Venable, Walley, Williams (Union), Windle, Winingham, Wood -- 32.

Representatives present and not voting were: Haun, Herron, Johnson, Whitson -- 4.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from present not voting to aye on Senate Bill No. 308 and have this statement entered in the Journal.

Rep. H. E. Bittle

**REGULAR CALENDAR, CONTINUED**

**Senate Joint Resolution No. 0239** -- Memorials, Government Officials -- Urges youth baseball organizations to adopt stronger safety measures.

Rep. Whitson moved that **Senate Joint Resolution No. 239** be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	96
Noes. . . . .	1

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

Representatives voting no were: Niceley -- 1.

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from no to aye on Senate Joint Resolution No. 239 and have this statement entered in the Journal.

Rep. Frank Niceley

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 1524** -- Appropriations -- Authorizes growth in state appropriations which exceed rate of growth of economy for the 1991-1992 fiscal year. Amends TCA, Title 9, Ch. 6, Pt. 2.

On motion, House Bill No. 1524 was made to conform with Senate Bill No. 1523.

On motion, **Senate Bill No. 1523**, on same subject, was substituted for House Bill No. 1524.

Rep. Purcell moved that **Senate Bill No. 1523** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	90
Noes. . . . .	6
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill,



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Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Coffey, Davis (Knox), Joyce, Niceley, Shirley, Stamps -- 6.

Representatives present and not voting were: Tullos -- 1.

A motion to reconsider was tabled.

**House Bill No. 0697** -- Insurance Companies, Agents, Brokers -- Allows rate increases or decreases for insurer with deductible plan for workers' compensation. Amends TCA 56-5-313.

On motion, House Bill No. 697 was made to conform with Senate Bill No. 145.

On motion, **Senate Bill No. 145**, on same subject, was substituted for House Bill No. 697.

Rep. Bivens moved that **Senate Bill No. 145** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 1640** -- Funeral Directors and Embalmers --

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Requires extra exams to be offered to candidates in Lawrence County. Amends TCA, Title 62, Ch. 5.

Rep. Moore moved that House Bill No. 1640 be passed on third and final consideration.

Rep. Moore moved to amend as follows:

**Amendment No. 1**

AMEND House Bill No. 1640 in Section 1 by deleting the words "June 3, 1991" and inserting in lieu thereof the words "June 28, 1991".

AND FURTHER AMEND in Section 1 by deleting the words "July 3, 1991" and inserting in lieu thereof the words "September 3, 1991".

AND FURTHER AMEND in Section 2 by deleting the words "July 4, 1991" and inserting in lieu thereof the words "September 4, 1991".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Moore moved that **House Bill No. 1640**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	87
Noes. . . . .	2
Present and not voting. . . . .	7

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Hill, Hillis, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Jackson, Williams (Shelby) -- 2.

Representatives present and not voting were: Callicott, Fowlkes, Harrill, Herron, Holcomb, Ridgeway, Williams (Union) -- 7.

A motion to reconsider was tabled.

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**House Bill No. 0759** -- Liens -- Provides for collection of costs for removal of vegetation from certain lots and for repairs to certain structures. Amends TCA 6-54-113, 13-21-103.

On motion, House Bill No. 759 was made to conform with Senate Bill No. 442.

On motion, **Senate Bill No. 442**, on same subject, was substituted for House Bill No. 759.

Rep. Arriola moved that **Senate Bill No. 442** be passed on third and final consideration.

Rep. Clark moved to amend as follows:

**Amendment No. 1**

Amend Senate Bill No. 442 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 6-54-113, is amended by adding the following language as a new, appropriately designated subsection:

( ) In the event a privately owned cemetery would otherwise meet the requirements of this section, and if a Boy Scout Troop, or other similar youth organization, were to remedy the conditions existing on such property, the municipality shall be prohibited from filing a lien against such property for the value of the work performed by such organization. Such organization shall be immune from any legal action for damages and no cause of action for civil or criminal liability may be brought by the owner of record of the cemetery or descendants of those buried in the cemetery against such organization so long as reasonable care is taken by such organization not to violate §46-2-105, §46-3-108 or any other provision of law, rule or regulation.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Arriola moved that **Senate Bill No. 442**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	75
Noes. . . . .	17
Present and not voting. . . . .	3

Representatives voting aye were: Armstrong, Arriola, Bittle, Bivens, Bragg, Byrd, Chiles, Chumney, Clark, Coffey, Collier, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Duer, Fowlkes, Garrett, Haley, Halteman, Hargrove, Hassell, Haun, Head,

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Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, Meyer, Moore, Napier, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Windle, Wood, Mr. Speaker Naifeh -- 75.

Representatives voting no were: Allen, Anderson, Bell, Buck, Callicott, Copeland, Davis (Knox), Givens, Gunnels, Harrill, McKee, Niceley, Robinson (Washington), Sipes, Venable, Williams (Union), Winningham -- 17.

Representatives present and not voting were: Cole, Ferguson, Wix -- 3.

A motion to reconsider was tabled.

**MESSAGE CALENDAR**

**HOUSE ACTION ON SENATE MESSAGE**

**House Bill No. 0776** -- Children -- Requires testing of newborn for certain diseases. Amends TCA 68-5-401.

**Senate Amendment No. 3**

Amend House Bill No. 776 by adding the following language at the end of Section 1, as amended:

Any such fee shall be waived for patients who are unable to pay.

Rep. Knight moved that the House concur in Senate Amendment(s) No(s). 3 to **House Bill No. 776**, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton),

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Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tulos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 1157** -- Motor Vehicles -- Increases civil penalty for violating motor vehicle sales licenses from \$100 to \$200. Amends TCA, Titles 47, 55.

Rep. Chumney moved that the House recede from its action in nonconcurring and concur in Senate Amendment(s) No(s). 2 to **House Bill No. 1157**, which motion prevailed by the following vote:

Ayes. . . . .	72
Noes. . . . .	20

Representatives voting aye were: Arriola, Bell, Bivens, Bragg, Buck, Chiles, Chumney, Cole, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Love, McAfee, McDaniel, Meyer, Moore, Napier, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tulos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Wood, Mr. Speaker Naifeh -- 72.

Representatives voting no were: Allen, Anderson, Armstrong, Bittle, Callicott, Ferguson, Fowlkes, Harrill, Head, Herron, Hill, Hillis, Jackson, Joyce, Liles, McKee, Niceley, Williams (Union), Windle, Winningham -- 20.

A motion to reconsider was tabled.

**\*Senate Bill No. 1399** -- Taxes, Personal Property -- Provides that equipment valued at \$500 or less is deemed to have no value for personal property tax purposes. Amends TCA 67-5-901.

Rep. Davis (Knox) moved that Senate Bill No. 1399 to the first available space on the Message Calendar in February, 1992

**MOTION TO RECESS**

Rep. Rhinehart moved that, pursuant to **Rule No. 76**, as amended, the House stand in recess until 1:30 p.m., which motion prevailed.

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**MESSAGE FROM THE SENATE  
June 20, 1991**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 311, 314 and 316; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**\*Senate Joint Resolution No. 0311 --** Memorials, Government Officials -- Encourages commissioner of safety to consider placing statement on reverse side of driver license - re: anatomical gifts. by \*Wilder, \*Davis E.

**Senate Joint Resolution No. 0314 --** Memorials, Public Service -- Former Jackson Mayor Bob Conger and former Commissioners Johnny Paarham and Ben Langford. by \*McKnight.

**Senate Joint Resolution No. 0316 --** Memorials, Death -- W.O. Smith. by \*Harper, \*Davis E.

**MESSAGE FROM THE SENATE  
June 20, 1991**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 305 and 315; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**Senate Joint Resolution No. 0305 --** Memorials, Recognition and Thanks -- Overton family reunion. by \*Davis E.

**Senate Joint Resolution No. 0315 --** Memorials, Personal Occasion -- Archie and Eudora Harmon, fiftieth wedding anniversary. by \*Davis E.

**MESSAGE FROM THE SENATE  
June 20, 1991**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution(s) No(s). 149; concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**ENGROSSED BILLS  
June 20, 1991**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 433, 434, 435, 437, 438 and 439; and find same correctly engrossed

**THURSDAY, JUNE 20, 1991 -- FIFTY-THIRD LEGISLATIVE DAY**

and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**June 20, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 317; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**Senate Joint Resolution No. 0317 --** Memorials, Personal Achievement -- John Michael Brannon, Eagle Scout. by \*Kyle.

**ENGROSSED BILLS**

**June 20, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1640; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**June 20, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1584; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**Senate Bill No. 1584 --** County Government -- Increases membership of Knox County board of adjustment and enforcement. Amends TCA 13-7-106. by \*Gilbert, \*Koella, \*Atchley.

**MESSAGE FROM THE SENATE**

**June 20, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 885; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

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**MESSAGE FROM THE SENATE  
June 20, 1991**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution(s) No(s). 433 and 437; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE  
June 20, 1991**

**MR. SPEAKER:** I am directed to return to the House, House Bill(s) No(s). 1588 and 1626; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE  
June 20, 1991**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution(s) No(s). 425, 426, 427, 428, 429, 430, 431 and 432; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE  
June 20, 1991**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill(s) No(s). 1634; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**Senate Bill No. 1634** -- Tipton County -- Revises wheel tax. Amends Chapter 360, Private Acts of 1959, as amended. by \*Dunavant.

**MESSAGE FROM THE SENATE  
June 20, 1991**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No. 278.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.



THURSDAY, JUNE 20, 1991 -- FIFTY-THIRD LEGISLATIVE DAY

SIGNED  
June 20, 1991

The Speaker announced that he had signed the following: House Bill(s) No(s). 62, 322, 440, 867, 912, 1228 and 1361; House Joint Resolution(s) No(s). 33, 236, 269, 298, 406, 414, 415, 416, 417, 419, 420, 421, 422 and 423; also, House Resolution(s) No(s). 133.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE  
June 20, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 361; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE  
June 20, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1618 and 1640; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE  
June 20, 1991

MR. SPEAKER: I am directed to return to the House, House Bill No. 1411.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 2, withdrew Amendment No. 2, adopted Amendment No. 3, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE  
June 20, 1991

MR. SPEAKER: I am directed to return to the House, House Bill No. 771.

**THURSDAY, JUNE 20, 1991 -- FIFTY-THIRD LEGISLATIVE DAY**

The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Amendment No. 2, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE  
June 20, 1991**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 715.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE  
June 20, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 434, 435, 438 and 439; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE  
June 20, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 106; amended, and concurred in by the Senate .

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE  
June 20, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 237; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

THURSDAY, JUNE 20, 1991 -- FIFTY-THIRD LEGISLATIVE DAY

MESSAGE FROM THE SENATE  
June 20, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 791; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE  
June 20, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 306, 312, 318 and 319; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Senate Joint Resolution No. 0306 -- Memorials, Sports -- Mary Lou Johns. by \*Cohen.

\*Senate Joint Resolution No. 0312 -- General Assembly, Studies -- Continues SJR 471 for computerization and automation of courts. by \*Wilder, O'Brien.

Senate Joint Resolution No. 0318 -- Memorials, Interns -- Jeffrey Ireland Welch. by \*Kyle.

Senate Joint Resolution No. 0319 -- Memorials, Personal Achievement -- Mark Shattuck, Algebra contest winner. by \*Crutchfield.

MESSAGE FROM THE SENATE  
June 20, 1991

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 442.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Purcell, the roll call was dispensed with.

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**BILLS WITHDRAWN**

On motion of Rep. Crain, House Bill No. 1468 was recalled from the Judiciary Committee.

On motion of Rep. Crain, House Bill No. 1468 was withdrawn from the House.

**RULES SUSPENDED**

Rep. Ridgeway moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 442 out of order, which motion prevailed.

**House Joint Resolution No. 0442 -- Memorials, Recognition and Thanks --** Dana Brown, 1990 Miss Tennessee. by \*Ridgeway, \*Naifeh, \*DeBerry, \*Turner B, \*Anderson, \*McKee, \*Rinks, \*Collier, \*Givens, \*Rigsby, \*Walley, \*Williams M, \*Holt.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Ridgeway, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Ridgeway moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 311 out of order, which motion prevailed.

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**\*Senate Joint Resolution No. 0311** -- Memorials, Government Officials -- Encourages commissioner of safety to consider placing statement on reverse side of driver license - re: anatomical gifts.

On motion of Rep. Ridgeway, the resolution was concurred in by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Gunnels moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 309 out of order, which motion prevailed.

**Senate Joint Resolution No. 0309** -- Memorials, Death -- Charlie Fletcher. by \*Ford, et al.

On motion of Rep. Gunnels, with the request that all members voting aye be added as sponsors, the resolution was concurred in by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber,

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Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**MOTION TO RECONSIDER**

Rep. Purcell moved to lift from the table the motion to reconsider Senate Bill No. 827, which motion prevailed.

**\*Senate Bill No. 0827** -- Public Contracts -- Increases interest rate on penalties. Amends TCA, Title 12, Ch. 4.

Rep. Purcell moved to reconsider action in passing Senate Bill No. 827, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 1. On motion, Amendment No. 1 was withdrawn.

Rep. Purcell moved that **Senate Bill No. 827** as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE MESSAGE**

**\*Senate Bill No. 0278** -- Sewage -- Revises dates for certain types of subsurface sewage disposal system permits. Amends TCA, Title 68, Ch. 13, Pt. 4.

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CONFERENCE COMMITTEE REPORT  
ON SENATE BILL NO. 278

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 278 (House Bill No. 472) has met and recommends that all House and Senate amendments previously adopted be deleted.

The Committee further recommends that the following amendment be adopted:

AMEND by deleting the language following the enacting clause in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 68-13-403(d)(4), is amended by deleting the period "." at the end of the subdivision and by substituting instead the following language and punctuation:

, or to subdivisions approved by the commissioner prior to July 1, 1990.

Section 2. Tennessee Code Annotated, Section 68-13-403, is amended by adding the following as a new subsection:

( )

(1) Permits for the construction of subsurface sewage disposal systems shall be issued for lots which were approved by the local health authority or the commissioner prior to July 1, 1990.

Such permits shall authorize the construction of a system pursuant to statutes, rules, and regulations in effect on June 30, 1990.

(2) Permits shall be issued for the repair of any system in existence prior to July 1, 1990, pursuant to statutes, rules, and regulations in effect on June 30, 1990.

Permits issued pursuant to subdivision (1) of this subsection shall expire on June 30, 1993, regardless of the date of issuance.

Section 3. Tennessee Code Annotated, Section 68-13-403(j), is amended by deleting the last sentence in its entirety.

Section 4. The commissioner of environment and

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conservation shall use a portion of the fees imposed and collected pursuant to state law to fund a new position in the division of ground water protection of the department of environment and conservation. The person filling this position shall perform the following tasks:

- 1) determine the number of lots approved by the local health authority and/or the commissioner prior to July 1, 1990, in at least ten (10) counties in Tennessee, which counties shall be selected by the department as representative of counties which have the greatest need for alternative subsurface sewage disposal systems;

- 2) gather and compile all readily available information, from other states and from throughout Tennessee, concerning all alternative subsurface sewage disposal systems which might feasibly be used in Tennessee, and make this information available to members of the public; and

- 3) communicate on a regular basis with members of the public concerning the availability, cost, environmental advantages, and other factors relevant to alternative subsurface sewage disposal systems.

Section 5. WHEREAS, septic tanks and other traditional sewage disposal systems cannot be used in some areas because of the topographical configuration of the land, which results in poor percolation rates; and

WHEREAS, there are new technological advances which can bypass many of the problems associated with traditional sewage disposal systems; and

WHEREAS, these advances may result in more land being opened up for development as residential or commercial property as the technical problems associated with sewage disposal are overcome by the implementation of new, innovative systems; and

WHEREAS, an issue which affects the health and welfare of Tennesseans should be studied by the members of this General Assembly;

There is hereby created a special joint committee to study the efficacy of technological advances in subsurface sewage disposal systems and other topics related to subsurface sewage disposal.



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The committee shall consist of three (3) members of the House of Representatives and three (3) members of the Senate, to be appointed by the respective speakers. The organizational meeting of the committee shall be convened by the member who possesses the longest period of continuous service in the General Assembly; and, at such meeting, the committee shall elect from its membership a chair, vice-chair, and such other officers as shall be deemed necessary.

At the request of the committee, the various agencies and entities of state government shall assist the committee in the performance of its duties. The special joint committee shall timely report its findings and recommendations, including any proposed legislation, to the 1992 session of the Ninety-Seventh General Assembly, at which time the committee shall cease to exist.

Section 6. This act shall take effect upon becoming a law, the public welfare requiring it, and the provisions of Section 2 ( ) (1) shall be repealed on July 1, 1993.

Respectfully submitted this 20th day of June, 1991.

Representative Joe Bell  
Representative Shirley Duer  
Representative Mike Kernell

Senator Rusty Crowe  
Senator Randy McNally  
Senator Robert Rochelle

Rep. Phillips moved the previous question, which motion prevailed by the following vote:

Ayes. . . . .	64
Noes. . . . .	23
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Armstrong, Byrd, Chumney, Clark, Coffey, Cole, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Ferguson, Garrett, Givens, Gunnels, Hargrove, Harrill, Hassell, Hill, Hillis, Holt, Huskey, Jackson, Johnson, Jones R (Shelby), Kent, King, Kisber, Liles, Love, McAfee, McKee, Meyer, Moore, Napier, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 64.

Representatives voting no were: Arriola, Bittle, Bivens, Callicott, Chiles, Fowlkes, Haley, Halteman, Haun, Head, Herron, Holcomb, Hubbard, Joyce, McDaniel, Niceley, Nuber, Odom, Peroulas Draper, Rigsby, Severance, Sipes, Stamps -- 23.

Representatives present and not voting were: Bragg, Knight, Turner (Hamilton) -- 3.

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Thereupon, Rep. Duer moved that the Report of the Conference Committee on **Senate Bill No. 278** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes. . . . .	66
Noes. . . . .	25
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Bell, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Duer, Ferguson, Garrett, Givens, Gunnels, Halteman, Hargrove, Harrill, Hassell, Hill, Hillis, Holt, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Knight, Love, McAfee, McKee, Meyer, Moore, Napier, Niceley, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Stamps, Tindell, Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 66.

Representatives voting no were: Armstrong, Arriola, Bittle, Bivens, Callicott, Davis (Knox), Fowlkes, Haley, Head, Herron, Holcomb, Hubbard, Joyce, Liles, McDaniel, Nuber, Odom, Peroulas, Draper, Rigsby, Severance, Shirley, Sipes, Tullos, Turner (Hamilton), Williams (Union) -- 25.

Representatives present and not voting were: Haun, Jackson, Venable -- 3.

A motion to reconsider was tabled.

**\*House Bill No. 1522** -- Appropriations -- Makes appropriations to defray expenses of state government for fiscal year beginning July 1, 1991.

**CONFERENCE COMMITTEE REPORT  
ON HOUSE BILL NO. 1522**

The Senate and House Conference Committees appointed pursuant to motions to resolve the differences between the two houses on House Bill 1522 (Senate Bill 1522) have met and recommend that the following Senate Amendments be deleted: 1,2,3,20 and 22 and recommend that the following House Amendments be deleted: 2 and 5.

The Committee further recommends the following amendments to House Bill 1522 (Senate Bill 1522) be adopted:

Amend by adding the following new item at the end of Section 10, as introduced:

Item \_\_\_\_\_. All expenditures by the Health Facilities Commission shall be exclusively from fees or revenue generated from the operations of the commission and to the

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extent that any appropriation under this act exceeds the amount of fees or revenue collected, the appropriation is reduced accordingly.

AND FURTHER AMEND by deleting from Section 2, Item 8 of the bill, as introduced, the citation "Senate Bill No. /House Bill No. ," and by substituting instead the new citation "Senate Bill No. 1524/House Bill No. 1523,".

AND FURTHER AMEND by deleting from Section 2, Item 10 of the bill, as introduced, the reference to "Chapter 686, Public Acts of 1990." and by substituting instead the new reference "Tennessee Code Annotated, Section 11-14-308."

AND FURTHER AMEND by deleting from Section 7, Item 11 of the bill, as introduced, the reference to "Section 1, Title III-18, Item 3.3," and by substituting instead the new reference "Section 1, Title III-18, Item 3.1,".

AND FURTHER AMEND by deleting from Section 8, Item 12 of the bill, as introduced, the reference to "Section 4, Title III-2, Item 6" and by substituting a new reference "Section 4, Title III-2, Item 5".

AND FURTHER AMEND by deleting from Section 41, Item 18 of the bill, as introduced, the reference to "Section 1, Title III-13, Item 5," and by substituting the new reference "Section 1, Title III-13, Item 6,".

AND FURTHER AMEND by deleting from Section 44, Item 5 of the bill, as introduced, the word "listedin" and by substituting instead the words "listed in".

AND FURTHER AMEND by deleting from Section 7, Item 2 of the bill, as introduced, the word "Stieglity" and by substituting instead the word "Stieglitz".

AND FURTHER AMEND by deleting from Section 34, Item 4 of the bill, as introduced, the word "Revolving" and by substituting instead the word "Revolving".

AND FURTHER AMEND by deleting from Section 8, Item 11 of the bill, as introduced, the words "To the State Planning Office and/or the Department of Safety" and by substituting instead the words "To the Department of Finance and Administration".

AND FURTHER AMEND by deleting in their entirety from Section 1, Title III-26, Department of Transportation, items 1.1, 1.2, 1.11, 2, 3.1 and 3.3 and substituting instead the following new items and by changing the sub-totals accordingly:

1.1 Bureau of Operations	\$ 6,285,000.00
1.2 Field Engineering	17,417,000.00
1.11 State Highway Construction	350,815,000.00

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2.	Bureau of Planning and Development	\$12,938,000.00
3.1	Equipment Purchases and Operations	\$15,696,000.00
3.3	Headquarters	15,352,000.00"

AND FURTHER AMEND by adding a new sentence at the end of Section 2, Item 2 of the bill, as introduced, to read:

"The provisions of this item shall take effect upon becoming a law, the public welfare requiring it."

AND FURTHER AMEND by adding to Section 3 of the bill, as introduced, a new item to read:

"Item \_\_\_\_\_. The appropriation to the Department of Financial Institutions in Section 1, Title III-12, shall be derived from banking fees assessed pursuant to Tennessee Code Annotated, Title 45, Chapter 1, Part 1. No part of the unexpended fees left at the end of the fiscal year shall be used for any other purpose but shall be carried over in a reserve and may be expended during the next year."

AND FURTHER AMEND by adding to Section 6 of the bill, as introduced, the following new items to read:

"Item \_\_\_\_\_. From the funds appropriated in Section 1, Title III-27, Item 4 for the amortization of authorized and unissued construction bonds, the sum of \$2,000,000.00 is appropriated in lieu of issuing bonds authorized for benefit of the Department of Agriculture under the provisions of Chapter 945, Public Acts of 1988. The State Funding Board shall take the necessary action to cancel the unissued bonds."

AND FURTHER AMEND by deleting from Section 7, Item 4 of the bill, as introduced, the words and figure "seventy-five thousand dollars (\$75,000.00)" and substituting instead the words and figure "sixty thousand dollars (\$60,000.00)".

AND FURTHER AMEND by adding to Section 7 of the bill, as introduced, the following new items to read:

"Item \_\_\_\_\_. From the appropriation made to the Tennessee Historical Commission in Section 1, Title III-5, the sum of \$100,000.00 is earmarked to fund the activities of the Tennessee Bi-Centennial Commission established by Executive Order and the funds shall be transferred accordingly by the Commissioner of Finance and Administration."

Item \_\_\_\_\_. From the appropriations made to the Department of Correction in this act, there is hereby appropriated a sum sufficient to implement the provisions of Senate Bill No. 1396/House Bill No. 1261.

Item \_\_\_\_\_. From the funds appropriated in Section 1, Title III-7 of this act to the Department of Correction for

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the County Correctional Incentive Program there is hereby appropriated an amount not to exceed \$150,000.00 to the Department of Audit, Division of County Audit to audit the program. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. From the appropriations made in Section 1 and Section 4 of this act to the Department of Correction and the Department of Youth Development, a sum sufficient is hereby appropriated to authorize the continuation of an appropriate training program for the departments, including the continuing operation of the Correction Training Academy and its staffing of seventy-four (74) positions. This appropriation is made to prevent an interruption in training services to the departments pending the implementation of recommendations to be made by an interagency study committee review of the scope of training required by and delivered to Correction, Youth Development and other state agencies. This appropriation is subject to the approval of the Commissioner of Finance and Administration."

AND FURTHER AMEND by adding to Section 8, Item 8 of the bill, as introduced, a second sentence to read:

"In matters involving the Public Service Commission, Housing Development Authority, Wildlife Resources Agency, Financial Institutions, regulatory boards and other programs and agencies funded by earmarked or dedicated revenues, the sum sufficient appropriation shall be provided from said earmarked or dedicated revenues."

AND FURTHER AMEND by adding to Section 8 of the bill, as introduced, the following new items to read:

"Item \_\_\_\_\_. To the Department of Health and Environment from the "Child Safety Fund" to administer and fund the provisions of Tennessee Code Annotated, Section 55-9-602(g)(7).

Item \_\_\_\_\_. To the Tennessee State Racing Commission to pay the costs associated with racing applications.

Item \_\_\_\_\_. Subject to the passage of Senate Bill No. 409/House Bill No. 1036, there is hereby appropriated a sum sufficient to the Department of Health and Environment, Division of Medicaid. This appropriation is subject to approval by the Commissioner of Finance and Administration who is further authorized to adjust departmental revenue allotments accordingly.

Item \_\_\_\_\_. Subject to the passage of Senate Bill No. 489/House Bill No. 1114, there is hereby appropriated a sum sufficient to the Department of Health and Environment, Division of Medicaid. This appropriation is subject to

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approval by the Commissioner of Finance and Administration who is further authorized to adjust departmental revenue allotments accordingly.

Item \_\_\_\_\_. Subject to the passage of Senate Bill No. 535/House Bill No. 537, there is appropriated to the Department of Safety a sum sufficient to cover the cost of adequate staffing and other operating costs of a program to enforce the motor vehicle title and salvage laws and inspection of rebuilt vehicles. This appropriation shall be funded by revenues collected under the provisions of Senate Bill No. 535/House Bill No. 537, and the appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. Subject to the passage of Senate Bill No. 571/House Bill No. 774, there is appropriated to the Department of Conservation a sum sufficient from revenues available to the Local Park Land Acquisition Fund and to the State Lands Acquisition Fund, and there is further appropriated to the Department of Agriculture a sum sufficient from revenues available to the Agricultural Nonpoint Water Pollution Control Fund.

Item \_\_\_\_\_. Subject to the passage of Senate Bill No. 685/House Bill No. 50, there is appropriated to the Health Facilities Commission a sum sufficient from revenues collected by the Commission.

Item \_\_\_\_\_. Subject to the passage of Senate Bill No. 408/House Bill No. 815, there is appropriated to the Department of Safety a sum sufficient to cover the cost of adequate staffing and other operating costs of a program to enforce the suspending or denying the motor vehicle operator's license of persons found to have committed certain prohibited acts involving alcohol. This appropriation shall be funded by revenues collected under the provisions of Senate Bill No. 408/House Bill No. 815, and the appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. In addition to the appropriations made in Sections 1 and 4 of this act, there is hereby appropriated a sum sufficient to the Department of Commerce and Insurance to implement the provisions of each bill listed below. The appropriations shall not exceed the amount indicated for each bill, and each appropriation is subject to passage of the bill. The appropriations shall be funded from revenues collected under the provisions of each bill enacted. The appropriations are:

Bill Number	Appropriation
SB 97/HB 28	\$ 7,500.00
SB 220/HB 398	\$ 5,000.00
SB 221/HB 401	\$ 5,000.00

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SB 681/HB 651	\$ 54,000.00
SB 753/HB 819	\$ 96,100.00
SB 820/HB 966	\$260,900.00
SB 899/HB 836	\$ 5,000.00
SB 935/HB 963	\$ 4,200.00
SB 1007/HB 826	\$ 2,900.00
SB 1012/HB 834	\$334,400.00
SB 1035/HB 429	\$ 50,700.00
SB 1068/HB 579	\$ 13,000.00
SB 1094/HB 741	\$ 6,000.00

This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. Subject to the passage of Senate Bill No. 1385/House Bill No. 1252, there is hereby appropriated a sum sufficient from revenues available under the provisions of the act. The Commissioner of Finance and Administration is authorized to allocate all revenues generated to the state under the provisions of Senate Bill No. 1385/House Bill No. 1252 to the agencies and departments involved with the implementation of the provisions of said bill. Further, from the funds appropriated by this act in Section 1 to appropriate executive branch departments and agencies, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient not to exceed \$600,000 to the Department of Environment and Conservation, Tennessee State Planning Office, and Department of Revenue for purposes of administering Senate Bill No. 1385/House Bill No. 1252.

This appropriation is subject to the approval of the Commissioner of Finance and Administration."

AND FURTHER AMEND by deleting from Section 9 of the bill, as introduced, Item 7 in its entirety and by substituting a new Item 7 to read:

"Item 7. To the Office of Information Resources from the general obligation bonds/notes authorized under Chapter 875, Public Acts of 1986; Chapter 525, Public Acts of 1989; and Senate Bill No. 1524/House Bill No. 1523 for data processing services."

AND FURTHER AMEND by adding to Section 9 of the bill, as introduced, a new item to read:

"Item \_\_\_\_\_. In addition to the appropriation made in Section 4 of this act in Title III-1, Item 2.1 to the District Attorneys General, there is hereby appropriated a sum sufficient not to exceed \$252,000 under the provisions of Tennessee Code Annotated, Section 36-5-107(3). This appropriation is subject to approval by the Commissioner of Finance and Administration."

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AND FURTHER AMEND by adding to Section 12 of the bill, as introduced, the following new items:

"Item \_\_\_\_\_. Pursuant to Tennessee Code Annotated, Section 40-24-107(e)(2), there is appropriated to the Department of Human Services an amount not to exceed \$590,000 from interest income earned on balances in the Victims of Drunk Drivers Compensation Fund. It is the intent of the General Assembly that these funds be used for capital program development for new programs for victims of crime, including but not limited to, Child Advocacy Centers and Comprehensive Victim Services Programs.

Item \_\_\_\_\_. Pursuant to Tennessee Code Annotated, Section 40-24-107(e)(3), there is hereby appropriated to the Department of Human Services an amount not to exceed \$1,145,000 from revenue deposited to the Victims of Drunk Drivers Compensation Fund, such amount being revenues which are estimated to exceed claims presented for payment. It is the intent of the General Assembly that funds made available by this item be used to support and enhance services available to victims of child sexual abuse.

AND FURTHER AMEND by adding to Section 15 of the bill, as introduced, a new item to read:

"Item \_\_\_\_\_. The Commissioner of Finance and Administration is authorized to transfer to the Department of General Services the funding, personnel and equipment associated with the operation of the central supply unit for the Department of Human Services and other such units operating in other agencies."

AND FURTHER AMEND by deleting from Section 29 of the bill, as introduced, Item 10 in its entirety and by substituting instead a new Item 10 to read:

"Item 10. There is hereby appropriated a sum sufficient to pay insurance claims filed by lending institutions under the provisions of the Guaranteed Student Loan Program and the costs associated with administering that program. Provided, however, such payments shall be made and such costs shall be paid from funds and reserves received and maintained by the Tennessee Student Assistance Corporation for the Guaranteed Student Loan Program and the State of Tennessee shall in no way be liable for such claims."

AND FURTHER AMEND by adding to Section 34 of the bill, as introduced, the following new items:

"Item \_\_\_\_\_. From the funds appropriated to the Department of Youth Development in Section 1, Title III-15, a sum sufficient is available to be transferred to Mountain View Developmental Center to accommodate operational expenses at the facility.



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Item \_\_\_\_\_. From the funds appropriated to the Department of Revenue in Section 1, Title III-19, and to the Department of Safety in Section 1, Title III-21, a sum sufficient is available to be transferred to accommodate the expenses of the Titling and Registration Division which was transferred from Revenue to Safety effective July 1, 1990.

Item \_\_\_\_\_. From the funds appropriated to the Department of Health and Environment in Section 1, Title III-17, the Commissioner of Finance and Administration is authorized to make transfers between appropriation items for the purposes of providing funds to a) the Ground Water program, b) the Chronic Renal Disease program and c) meeting the department's requirements to the State Office Buildings and Support Facilities Revolving Fund.

Item \_\_\_\_\_. The appropriations made to the Medicaid Program under Section 1, Title III-17, are available for transfer between appropriation items. Said transfers are subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. From the funds appropriated to the judicial branch in Section 1, Title II, the Commissioner of Finance and Administration is authorized to transfer appropriations to the State Law Libraries.

Item \_\_\_\_\_. From the appropriations made to the Department of Human Services in Section 1, Title III-18, the Commissioner of Finance and Administration is authorized to make transfers between programs and units of the department and to adjust federal aid and other departmental revenue appropriations accordingly."

AND FURTHER AMEND by adding to Section 35 of the bill, as introduced, the following new items:

"Item \_\_\_\_\_. From the funds appropriated by the provisions of this act to the Department of Correction for Tennessee State Prison and DeBerry Correctional Institute, there is hereby authorized the transfer of funding and positions for the establishment of start-up operation of the Special Needs Facility at Nashville, subject to the approval of the Commissioner of Finance and Administration.

Item \_\_\_\_\_. From the funds appropriated by the provisions of this act to the Department of Correction for State Prosecutions under Section 1, Title III-7, Item 3, there is hereby authorized the transfer of funding for program expansions and position establishment for such alternative programs as would defer felons from incarceration in county facilities. Additionally, such funding may be used to off-set expenses associated with housing additional felons at Turney Center. This appropriation is subject to

approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. The appropriations made to the Medicaid Program under Section 1, Title III-17, are available for transfer between appropriation items. Said transfers are subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. From the funds appropriated in Section 1, Title III-17, and Section 4, Title III-18, to the Department of Health and Environment, the Commissioner of Finance and Administration is authorized to make transfers between appropriation items for purposes of assuring compliance with new maintenance of effort and state matching requirements of the Maternal and Child Health Services Block Grant.

Item \_\_\_\_\_. From the funds appropriated to the Department of Mental Health and Mental Retardation in Section 1, Title III-14, Item 3.2, for Community Mental Retardation Programs, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Medicaid Program in the Department of Health and Environment to provide the State match for an expanded Medicaid waiver program for community services to the mentally retarded. Furthermore, the Commissioner of Finance and Administration may increase the interdepartmental revenue estimate for the Community Mental Retardation Program and increase federal aid revenue estimates for the Medicaid program in the Department of Health and Environment accordingly.

Item \_\_\_\_\_. From the appropriations made in Sections 1 and 4 of this act, the Commissioner of Finance and Administration, with the approval of the State Insurance Committee, is authorized to transfer appropriations and positions for the establishment of a State Wellness Program and coordination of a statewide Employee Assistance Program.

Item \_\_\_\_\_. From the appropriations made to the Department of Human Services in Sections 1 and 4, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient a) to properly reflect administration of the day care delivery system; b) to the Division of Administration to properly reflect the efficiencies gained through implementation of the ACCENT family assistance program; and c) in the Social Services program to maximize collection of federal aid and other department revenue.

Item \_\_\_\_\_. From the appropriations made in Sections 1 and 4 of this act to the Department of General Services, Department of Agriculture and Department of Safety for purposes of the State Office Building and Support Facilities Revolving Fund, the Commissioner of Finance and Administration is authorized to transfer appropriations,

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positions and equipment between the departments to properly reflect the lease payments and responsibilities of the agencies."

AND FURTHER AMEND by adding to Section 36 of the bill, as introduced, the following new items:

"Item \_\_\_\_\_. The unexpended balance of the appropriations reappropriated to the Tennessee Advisory Commission on Intergovernmental Relations under Section 47, Item 2.

Item \_\_\_\_\_. The appropriation made to the Department of Agriculture under Section 1, Title III-3 for operation of the West Tennessee Agricultural Museum in Milan, Tennessee."

AND FURTHER AMEND by deleting from the bill, as introduced, Section 39 in its entirety and by substituting a new Section 39 to read:

"SECTION 39. The provisions of this section shall take effect upon becoming law, the public welfare requiring it.

There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>1990-91</u>	<u>1991-92</u>
District Attorneys General		
1. Executive Secretary	\$ 14,800	\$ 59,100
2. IV-D Child Support	115,100	678,300
Total District Attorneys General	\$ 129,900	\$ 737,400
Secretary of State		
1. Library and Archives	\$ 36,500	\$ 30,200
2. Regional Libraries	6,700	-
Total Secretary of State	\$ 43,200	30,200
Department of General Services		
1. Motor Vehicle Management	\$ -	\$ 870,000
2. Facility Support Services	-	265,000
Total General Services	\$ -	\$1,135,000
Department of Agriculture		
1. Plant Industries	\$ 226,200	\$ 168,500
2. Soil and Water Conservation	95,000	55,000
3. Technical Services	132,300	-
Total Agriculture	\$ 435,500	\$ 223,500
Department of Conservation		
1. Forestry	\$ 322,000	\$ 455,000
2. Geology	-	62,300
Total Conservation	\$ 322,000	\$ 517,300
Wildlife Resources Agency		
1. Boating	\$ 98,000	\$ -

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Department of Education		
1. Elementary and Secondary Education-- ESEA Chapter 1 and Chapter 2	\$13,674,900	\$ -
Higher Education		
1. Tennessee Higher Education Commission	\$ 6,600	\$ -
Department of Mental Health and Mental Retardation		
1. Administrative Services Division	\$ 58,600	\$ 108,900
2. Alcohol and Drug Abuse Services Administration	178,600	308,400
3. Community Alcohol and Drug Abuse Services	5,352,600	1,425,300
4. Mental Health Services Administration	-	4,000
5. Community Mental Health Services	104,800	103,000
6. Mental Retardation Administration	-	32,700
Total Mental Health and Mental Retardation	\$5,694,600	\$1,982,300
Department of Youth Development		
1. Mountain View Developmental Center	\$ 62,200	\$ -
Department of Military		
1. Tennessee Air National Guard	\$ 17,000	\$ 56,000
Department of Health and Environment		
1. Health Care Facilities	\$ 368,000	\$ 368,000
2. Air Pollution Control	130,000	134,400
3. Construction Grants and Loans	3,341,000	8,441,000
4. Solid Waste Management	330,000	-
5. Hazardous Waste Remedial Action Fund	2,129,300	265,600
6. Underground Storage Tanks	-	218,000
7. Family Planning Services	531,500	531,500
8. Maternal and Child Health	86,300	119,300
9. Communicable Disease Control	1,055,700	690,700
10. Women, Infants and Children (WIC)	6,422,900	6,422,900
Total Health and Environment	\$14,394,700	\$17,191,400
Department of Human Services		
1. Division of Administration	\$ -	\$ 795,300
2. Family Assistance Services	240,900	-
3. Social Services	-	690,300
4. Community Services	-	10,519,600
5. Disability Determination	-	3,724,500
Total Human Services	\$ 240,900	\$15,729,700
Tennessee Bureau of Investigation		
1. Tennessee Bureau of Investigation	\$ -	\$ 453,500
Department of Safety		
1. Highway Patrol	\$ -	\$ 100,000
Total	\$35,137,500	\$37,021,300

The Commissioner of Finance and Administration is authorized to establish 135 full-time positions and 2

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part-time positions and to allocate them to the appropriate organizational units. Any unexpended balances at June 30, 1991, of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 1991."

AND FURTHER AMEND by adding to Section 41, Item 11 of the bill, as introduced, a new sentence at the end of the item to read:

"Subject to the joint approval of the Director of the TBI and the Commissioner of Finance and Administration, a sum sufficient may be allocated from this appropriation for the beginning study of an integrated computer system for the Tennessee court system."

AND FURTHER AMEND by adding to Section 41 of the bill, as introduced, the following new items:

"Item \_\_. Subject to the approval of the Commissioner of Finance and Administration and the State Treasurer, the separate trust account in the amount of \$150,000.00 established in the unclaimed property program prior to the enactment of Chapter 424, Public Acts of 1989, shall revert to the general fund balance at June 30, 1991.

Item \_\_. In addition to the appropriations made to the Department of Safety in Section 4 of this act and in Section 4 of Chapter 1085, Public Acts of 1990, there is hereby appropriated a sum sufficient from the proceeds of property seized and forfeited under federal procedures which are shared with the department. This appropriation is subject to approval by the Commissioner of Finance and Administration. This appropriation shall not revert to the general fund at June 30, 1991, or June 30, 1992, but shall be reappropriated in the subsequent fiscal year.

Item \_\_. There is hereby appropriated a sum sufficient from the Petroleum Underground Storage Tank Fund to pay for actuarial studies and management studies for the purpose of reviewing the fund. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_. There is hereby appropriated a sum sufficient not to exceed \$50,000.00 to the Department of Finance and Administration for the purpose of funding a pilot program to attempt to enhance the collection of fines and costs in the Criminal and General Sessions courts of Sullivan County. The appropriation shall be funded from the additional revenues recovered under the pilot program and deposited with the state. The Commissioner of Finance and Administration shall report to the Finance, Ways and Means Committees and the Judiciary Committees of the Senate and House of Representatives after one year of operation of the pilot program.

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Item \_\_\_\_\_. In addition to the appropriations of departmental revenues made for environmental management to the Department of Health and Environment in Section 4, Title III-18, of this act and in Section 4, Title III-18 of Chapter 1085, Public Acts of 1990, there is hereby appropriated a sum sufficient to implement the provisions of the U. S. Department of Energy--Oak Ridge Environmental Oversight and Health Studies Agreements. This appropriation is subject to the approval of the Commissioner of Finance and Administration, and the Commissioner is authorized to allocate funds to the agencies and departments involved with the implementation of the program.

Item \_\_\_\_\_. There is hereby appropriated a sum sufficient in the fiscal years ending June 30, 1991, and June 30, 1992, to the Department of Mental Health and Mental Retardation for alcohol and drug community services. Said appropriation shall be in lieu of the alcoholic beverage tax previously apportioned to the department, and the Commissioner of Finance and Administration shall reduce departmental revenue allotments in offsetting amounts.

Item \_\_\_\_\_. In Section 1, Title III-26, and Section 4, Title III-24, Department of Transportation, a sum sufficient is hereby appropriated to meet any change in federal match requirements and federal aid appropriations. To provide for a change in match requirements the Commissioner of Transportation is authorized to increase or decrease the affected federal aid appropriation items in Section 4, Title III-24, and to increase or decrease the necessary state matching appropriation items in Section 1, Title III-26. Any increase and offsetting reduction of appropriation items shall be subject to approval by the Commissioner of Finance and Administration and to notification in writing to the Chairmen of the Transportation Committees and Finance, Ways and Means Committees of the Senate and House of Representatives. It is the intent of the legislature to maximize federal aid funds available to the Department of Transportation.

Item \_\_\_\_\_. In the fiscal year ending June 30, 1991, there is hereby appropriated an amount not to exceed \$18,000,000.00 to the Department of Health and Environment, Division of Medicaid, in recognition of additional revenues available to the program. This appropriation is subject to approval by the Commissioner of Finance and Administration who is further authorized to adjust departmental revenue allotments accordingly.

Item \_\_\_\_\_. In the fiscal years ending June 30, 1991, and June 30, 1992, there is hereby appropriated a sum sufficient to the Department of Commerce and Insurance, Division of Regulatory Boards for the purpose of paying the premium costs for errors and omission insurance secured under the provisions of Tennessee Code Annotated, Section 62-13-112.

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This appropriation shall be funded by revenues collected for providing the coverage.

Item \_\_. In the fiscal year ending June 30, 1991, there is hereby appropriated a sum sufficient not to exceed \$200,000.00 for the purpose of funding studies to improve the effectiveness of state government. This appropriation is subject to the approval of the Commissioner of Finance and Administration.

Item \_\_. In the fiscal years ending June 30, 1991, and June 30, 1992, there is hereby appropriated a sum sufficient from the State Office Buildings and Support Facilities Revolving Fund for facilities review expenditures including consultant contracts. This appropriation is subject to the approval of the Commissioner of Finance and Administration."

AND FURTHER AMEND by adding to Section 48 of the bill, as introduced, the following new items:

"Item \_\_. From the funds appropriated to the Department of Transportation in Highway Maintenance, the Department is authorized, with the approval of the Commissioner of Finance and Administration, to establish not more than ninety-five (95) positions to staff the rest areas throughout the state.

Item \_\_. From the appropriations made in Section 1 and Section 4 of this act in Titles III-2 through III-21 and in Titles III-2 through III-22 respectively, the Commissioner of Finance and Administration is authorized to transfer appropriations for payroll equity balances between departments and agencies of the executive branch and to adjust federal aid and departmental revenue appropriations accordingly."

AND FURTHER AMEND by inserting in Section 48, Item 7.g) of the bill, as introduced, the words "the Department of Safety's " immediately preceding the words "motor vehicle enforcement activities".

AND FURTHER AMEND by adding a new section to the bill to read:

SECTION \_\_. Subject to the passage of Senate Bill No. 631/House Bill No. 1089, the appropriations to the Department of Health and Environment in Section 1, Title III-17, of this act, are reduced as follows:

Item	Amount
3.3 Radiological Health	\$941,400
3.4 Water Management	\$74,000
3.5 Solid Waste Management	\$946,800
Total	\$1,962,200

The Commissioner of Finance and Administration is

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authorized to reduce the appropriations further in recognition of any interest earnings loss to the general fund. Further, subject to passage of Senate Bill No. 631/House Bill No. 1089, appropriations of departmental revenues to the Department of Health and Environment in Section 4, Title III-18, of this act, are reduced as follows:

Item	Amount
3.1 Air Pollution Control	\$181,500
3.2 Radiological Health	\$90,600
3.4 Water Management	\$306,100
3.8 Ground Water	\$2,447,100
Total	\$3,025,300

Such funds are hereby reappropriated into the "Tennessee Environmental Protection Fund" created by Senate Bill No. 631/House Bill No. 1089, along with any other revenues generated as the result of the provisions of the act. In establishing FY 1991-92 work programs for the Department of Environment and Conservation, the Commissioner of Finance and Administration shall reallocate these funds back to their respective environmental programs. Further the Commissioner of Finance and Administration shall also allocate from the Tennessee Environmental Protection Fund to the Department of Environment and Conservation estimates of FY 1991-92 revenues to be generated as the result of Senate Bill No. 631/House Bill No. 1089.

All provisions of this amendment are subject to passage of Senate Bill No. 631/House Bill No. 1089, and are subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding a new section to the bill to read:

SECTION \_\_. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. Capital outlay projects previously authorized and funded by the General Assembly, but which have not gone to bid for construction are hereby authorized to be cancelled subject to the following conditions:

1. The Revenue Fluctuation Reserve is depleted in closing the state's general fund at June 30, 1991.

2. The Commissioner of Finance and Administration shall submit a list of projects and remaining appropriation balances to be cancelled to the Finance, Ways and Means Committees of the Senate and House of Representatives for review and concurrence.

3. The Commissioner of Finance and Administration shall reduce appropriations in the capital projects fund for the cancelled projects and the funds shall be



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transferred to the general fund balance as of June 30, 1991.

AND FURTHER AMEND by deleting from Section 1, Title III-25 of the bill, as introduced, Items 1 through 10 in their entirety, and by substituting the following new items and total:

"1. Department of Finance and Administration

1.1 Middle Tennessee Veterans' Cemetery	\$ 200,000.00
1.2 Statewide Capital Maintenance	5,000,000.00

2. Department of Mental Health and Mental Retardation

2.1 ADC-Addition/Renovation Redbud	500,000.00
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Total Title III-25	\$5,700,000.00"
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AND FURTHER AMEND by deleting from Section 1, Title III-27 of the bill, as introduced, Item 4 in its entirety, and by substituting a new Item 4 and by adjusting the total accordingly:

"4. Amortization of Authorized and Unissued Construction Bonds	35,733,000.00"
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AND FURTHER AMEND by deleting in its entirety Section 2, Item 8 of the bill as introduced, and by substituting a new Item 8 to read:

"Item 8. From the capital outlay appropriation to the Department of Finance and Administration made in Section 1, Title III-25 of this act, the sum of \$5,000,000.00 is for statewide capital maintenance. Subject to approval of the State Building Commission, the Commissioner of Finance and Administration is authorized to allocate and transfer these funds to approved projects."

AND FURTHER AMEND by adding to Section 2 of the bill, as introduced, a new item to read:

"Item \_\_\_\_\_. There is hereby appropriated a sum not to exceed \$150,000.00 from the highway fund balance to match federal funds for a capital outlay project to renovate the Knox County scales on the interstate highway system. This appropriation is subject to approval by the State Building Commission."

AND FURTHER AMEND by adding to Section 6 of the bill, as introduced, the following new items:

"Item \_\_\_\_\_. To provide the debt service on ten million, six hundred thousand dollars (\$10,600,000.00) of the general obligation bond issue authorized under Senate Bill No. 1524/House Bill No. 1523, there is hereby appropriated a sum sufficient from funds available to the Department of Finance and Administration in the internal service fund for data processing services.

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Item \_\_\_\_\_. To provide the debt service on six million, three hundred thousand dollars (\$6,300,000.00) of the general obligation bond issue authorized under Senate Bill No. 1524/ House Bill No. 1523, there is hereby appropriated a sum sufficient from the wetlands acquisition funds available to the Tennessee Wildlife Resources Agency."

AND FURTHER AMEND by deleting from Section 7, Item 7 of the bill, as introduced, the words and figure "four hundred fifty dollars (\$450.00)" and by substituting instead the words and figure "three hundred sixty dollars (\$360.00)".

AND FURTHER AMEND by deleting from Section 7, Item 12 of the bill, as introduced, the words and figure "six hundred dollars (\$600.00)" and by substituting instead the words and figure "four hundred eighty dollars (\$480.00)".

AND FURTHER AMEND by deleting from Section 8 of the bill, as introduced, Item 22 in its entirety and by renumbering the subsequent items.

AND FURTHER AMEND by deleting from Section 10 of the bill, as introduced, Item 15 in its entirety and by renumbering the subsequent items.

AND FURTHER AMEND by deleting from Section 10 of the bill as introduced, Item 29 in its entirety and by substituting a new item to read:

"Item \_\_\_\_\_. Out of funds appropriated to the Department of Transportation, there is hereby allocated \$12,800,000.00 to the Transportation Equity Fund, or such amount as may arise from tax revenues dedicated to this fund. If the amount in the fund is greater than \$15,000,000.00, then the Commissioner of Transportation shall apply to the finance committees of the Senate and House of Representatives through an expansion request for expenditure of any such additional funds. If the amount raised through the dedicated taxes is less than \$12,800,000.00 then only the amount raised through such dedicated taxes may be expended. Further, there is hereby transferred a sum not to exceed \$3,400,000.00 from the highway fund balance to the general fund balance from revenues allocated in the 1991-92 fiscal year. There is further transferred a sum not to exceed \$3,500,000.00 from the highway fund balance at June 30, 1991, to the general fund balance."

AND FURTHER AMEND by deleting from Section 11 of the bill, as introduced, Item 1 in its entirety and by substituting a new Item 1 to read:

"Item 1. The appropriation in Section 1, Title III-9, Item 2.1(a) in the amount of \$1,145,767,700.00 for the Basic Education Program is hereby appropriated for the purpose of implementing the provisions of Senate Bill No. 1231/House

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Bill No. 752 if the bill becomes a law."

AND FURTHER AMEND by deleting from Section 11 of the bill, as introduced, in Item 3 the words and figure "sixty percent (60%)" and by substituting instead the words and figure "forty five percent (45%)".

AND FURTHER AMEND by deleting from Section 29 of the bill, as introduced, Items 14, 15 and 16 in their entirety and by renumbering the subsequent items.

AND FURTHER AMEND by deleting from Section 30 of the bill, as introduced, the last two paragraphs in their entirety which read:

"Employees in the state service, including those at the top step of their salary range or above, shall receive salary increases in accordance with a salary policy determined by the Commissioner of Personnel and the Commissioner of Finance and Administration with review and comment by the Joint Finance, Ways and Means Committee prior to implementation.

To provide for said salary policy the appropriations made in Sections 1 and 4 of this act for employee salary improvements shall be subject to reallocation and transfer by the Commissioner of Finance and Administration. The authority to reallocate funds includes the authority to transfer within and between departments and agencies. Federal aid funds and other departmental revenues shall be adjusted accordingly to reflect the transfer of state appropriations."

AND FURTHER AMEND by deleting from Section 41 of the bill, as introduced, Items 15 and 17 in their entirety and by renumbering the subsequent items.

AND FURTHER AMEND by adding to Section 41 of the bill, as introduced, the following new items to read:

"Item \_\_\_\_\_. From the proceeds of the sale of property to the Metropolitan Nashville Airport Authority and any associated revenues received from the Authority, there is hereby appropriated a sum sufficient for the statewide master plan study of mental health and mental retardation facilities and for a statewide food service planning project. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item \_\_\_\_\_. From the funds appropriated to the Department of Human Services for the Aid to Families with Dependent Children (AFDC) Program, the Department of Human Services shall provide AFDC grants at amounts equal to forty-three and one-half percent (43.5%) of the adjusted AFDC standard of need."

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AND FURTHER AMEND by deleting from Section 48, Item 7 h) of the bill, as introduced, the figure "\$7,500,000.00" and by substituting instead the figure "\$5,500,000.00".

AND FURTHER AMEND by deleting in its entirety Section 49 of the bill, as introduced, and by renumbering the subsequent sections.

AND FURTHER AMEND by adding a new Section to read:

"SECTION \_\_\_\_\_. The appropriations in Section 1 of this act are hereby reduced in the amount of \$818,487,300.00 as reflected in the schedule, "Reconciliation Assuming No New Taxes 1991-92," prepared by the Department of Finance and Administration and dated May 20, 1991.

The appropriations in Section 1 of this act are further reduced in the amount of \$525,000.00 to reflect the deletion of funding for the twenty-third year of longevity pay for state employees.

Where department wide reductions are shown on the schedule, the department or agency head shall allocate the reductions to individual programs and organizational units and submit the allocations to the Commissioner of Finance and Administration in a timely manner. The Commissioner is further authorized to allocate the OIR reduction of \$200,000.00 to the user agencies and departments.

The appropriations in Section 4 of this act shall be adjusted by the Commissioner of Finance and Administration to reflect the reductions made in Section 1."

AND FURTHER AMEND by adding the following new items at the end of Section 12, as introduced:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the purpose of implementing Senate Bill No. 1331/House Bill No. 1407, relative to employment classification of state employees, if such bill becomes a law.

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed four hundred thirty-six thousand two hundred dollars (\$436,200) for the purpose of implementing Senate Bill No. 1428/House Bill No. 1361, relative to payments for appointed counsel in termination of parental rights and in dependent and neglect cases, if such bill becomes a law. These funds shall be derived from excess funds from the fee increase in appellate court clerks fees authorized by Senate Bill No. 1292/House Bill No. 1094, if such bill becomes a law.

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AND FURTHER AMEND by adding to Section 41 of the bill, as introduced, a new item to read:

Item \_\_\_\_\_. To the extent that there are unexpended balances of appropriations made for the benefit of the Institute for African and Caribbean Affairs, said balances are hereby transferred from Tennessee State University to the Institute and are hereby reappropriated to be expended in the 1991-92 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 1991. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding to Section 43 of the bill, as introduced, a new item to read:

Item \_\_\_\_\_. The appropriation made in Chapter 1085, Public Acts of 1990, in Section 10, Item 27, is amended by adding the words "an amount not to exceed" immediately preceding the words and figures "five hundred thousand dollars (\$500,000.00)".

AND FURTHER AMEND by adding the following new section:

Section \_\_\_\_\_. Notwithstanding any provision of this act to the contrary, it is the legislative intent that any reductions in state appropriations provided by this act from those amounts shown as originally introduced in Section 1, Title I, shall be deemed to be amounts to be reverted to the general fund at June 30, 1992, and shall not be deemed to be reductions in spending authority. Nothing contained in this item shall be construed as authorizing any increases in salaries except as may be otherwise permitted by other provisions of this act.

AND FURTHER AMEND by adding to Section 12 of the bill, as introduced, the following new item:

Item \_\_\_\_\_. Subject to the passage of Senate Bill No. 1388/ House Bill No. 1264, there is hereby appropriated a sum sufficient to the Department of Safety to issue new motor vehicle registration plates. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by deleting from Section 10, Item 10 of the bill, as introduced, the second sentence in its entirety and by substituting instead a new sentence to read:

"Pursuant to Tennessee Code Annotated, Section 67-5-702 and 67-5-703, the income eligibility limit for elderly low-income homeowners and for homeowners totally and permanently disabled shall be nine thousand two hundred dollars (\$9,200.00) provided that the property value limits are reduced to \$13,000.00. If the property value limits are

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not reduced, the income eligibility limit shall be \$8,200.00 for fiscal year 1991-92."

AND FURTHER AMEND by adding to Section 12 of the bill, as introduced, the following new items:

"Item \_\_\_\_\_. There is hereby appropriated to the Department of Revenue the sum of \$88,500.00 to implement the provisions of Senate Bill No. 765/House Bill No. 771. This appropriation shall be non-recurring, and it is subject to the passage of Senate Bill No. 765/House Bill No. 771.

Item \_\_\_\_\_. From the revenues deposited to the "impaired drivers trust fund" established under the provisions of Chapter 1081 of the Public Acts of 1990, there is hereby appropriated a sum sufficient not to exceed \$98,000.00 for the second year of a three-year pilot project to provide financial assistance to residents of Tennessee who suffer head injuries. There is further reappropriated the unexpended balance of the first year's appropriation net of actual revenues deposited to the fund. This appropriation is subject to the approval of the Commissioner of Finance and Administration."

AND FURTHER AMEND by adding to Section 41 of the bill, as introduced, a new item to read:

"Item \_\_\_\_\_. Pursuant to Tennessee Code Annotated, Section 40-24-107(e)(2) and Section 40-24-107(e)(3) there is hereby appropriated a sum sufficient not to exceed \$2,000,000.00 in the fiscal year ending June 30, 1991 to the Department of Human Services for services for child sexual abuse victims and for the establishment of family violence centers from revenue deposited to the Victims of Drunk Drivers Compensation Fund and from interest income on the Fund. Said appropriation shall be in lieu of departmental revenue appropriated for this purpose."

AND FURTHER AMEND by adding the following new item at the end of Section 12, as introduced:

Item \_\_\_\_\_. The employer contributions appropriated to the Tennessee Consolidated Retirement System by this act are hereby reduced by \$261,000.

In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$261,000 for the purpose of implementing the provisions of SB 731 / HB 912 to extend 3.6% indexing to June 30, 1992. This item is subject to SB 731 / HB 912 becoming law.

AND FURTHER AMEND by adding to Section 41 of the bill, as introduced, a new item to read:

Item \_\_\_\_\_. There is hereby appropriated an amount not to

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exceed \$250,000.00 to the Department of Mental Health and Mental Retardation to purchase Hepatitis B vaccine for an employee immunization program."

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item \_\_\_\_\_. After allocation of the first five hundred fourteen thousand dollars (\$514,000) as provided in Tennessee Code Annotated, Section 55-4-307(a), all revenues arising from the surcharge for cultural motor vehicle registration plates provided for in Tennessee Code Annotated, Title 55, Chapter 4, Part 3, shall be allocated to the Tennessee arts commission for use in its programs.

AND FURTHER AMEND by adding the following new item at the end of Section 41:

Item \_\_\_\_\_. One hundred thousand dollars (\$100,000) of the appropriation made by Item 212 of Section 12 of Chapter 1085 of the Public Acts of 1990, is hereby reappropriated for a local enterprise zone in Memphis. No qualified business or other applicant shall be reimbursed more than one hundred thousand dollars (\$100,000) for state sales or use taxes, as provided by Tennessee Code Annotated, Section 13-28-106(c)(3), from the funds appropriated by this act.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed seven million five hundred thousand dollars (\$7,500,000) to the Department of Health for the sole purpose of extending Medicaid coverage to pregnant women who meet income standards based on one hundred eighty-five percent (185%) of the federal poverty guidelines for the family size.

AND FURTHER AMEND by deleting Item 3 from Section 40 which reads as follows:

Item 3. Upon approval of the Commissioner of Finance and Administration, the general fund may advance cash to or receive cash from any fund to offset temporary cash shortages of said fund.

AND FURTHER AMEND by adding the following new section before the effective date section, to be appropriately designated:

SECTION \_\_\_\_\_. The Tennessee Code Commission is requested to not codify any public act passed by the General Assembly during the 1991 regular session which does not receive first year's funding through the provisions of this act.

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AND FURTHER AMEND by adding the following new item at the end of Section 12, of the bill as introduced:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient in the minimal amount necessary to receive federal funding to implement the provisions of Senate Bill No. 762 / House Bill No. 1228, relative to early intervention services for handicapped infants and toddlers, if such bill becomes a law. This appropriation is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of thirty two thousand five hundred eighty-eight dollars (\$32,588) for the purpose of implementing Senate Bill 305-House Bill 469, in accordance with the provisions of T.C.A. 9-6-119, if such bill becomes a law.

AND FURTHER AMEND by adding the following new item at the end of Section 10, as introduced:

Item \_\_\_\_\_. Any funds appropriated by this act for the Retired Senior Volunteer Program (RSVP) shall be administered through the Department of Human Services rather than through the Commission on Aging and the Commissioner of Finance and Administration is hereby authorized to transfer any such funds from the budget of the Commission on Aging to the budget of the Department of Human Services.

AND FURTHER AMEND by adding the following new item at the end of Section 10, as introduced:

Item \_\_\_\_\_. Subject to the concurrence of the commissioner of the department of finance and administration, the secretary of state is authorized to develop and implement a system whereby the cost of services rendered to other departments, boards and commissions by the administrative procedures division of the department of state is recovered from those departments, boards and commissions to whom services are rendered.

AND FURTHER AMEND by adding the following new item at the end of Section 10, as introduced:

Item \_\_\_\_\_. From the funds appropriated to the district attorneys general by the provisions of this act for funding legislation which creates additional assistant district attorneys and/or criminal investigators, there is hereby transferred to the district public defenders a sum sufficient to implement the provisions of Tennessee Code



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Annotated, Section 8-14-202(d), relative to staffing for offices of the district public defenders.

AND FURTHER AMEND by adding the following new item at the end of Section 41, as introduced:

Item \_\_\_\_\_. The appropriation made under Chapter 1085, Public Acts of 1990, in Section 47, Item 4, to Bledsoe County for construction of an industrial building is hereby reappropriated to Bledsoe County for general government purposes as designated by the County Executive in a plan to be submitted to the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new section to be appropriately numbered:

Section \_\_\_\_\_. Notwithstanding any provision of this act to the contrary, any state general fund revenues received in excess of meeting the financial requirements of this act and other acts of the legislature shall be deposited in the revenue fluctuation reserve fund.

AND FURTHER AMEND by adding the following new item at the end of Section 10:

Item \_\_\_\_\_. Appropriations made by this act to local education agencies for textbooks, pupil transportation, capital outlay, educational assistants, duty free lunches, planning time for teachers and extended contracts under the career ladder program may be transferred to or expended for other programs, as provided by law. In making any such transfers or expenditures, local education agencies shall give priority to maintaining classroom instruction.

Rep. Bivens moved the previous question, which was objected to by Rep. Winningham.

Rep. Bivens moved the previous question, which motion prevailed.

Rep. Bragg moved that the Report of the Conference Committee on House Bill No. 1522 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes. . . . .	59
Noes. . . . .	38

Representatives voting aye were: Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Gibson), DeBerry, Ferguson, Fowlkes, Garrett, Hargrove, Head, Herron, Hillis, Holt, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Love, Moore, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Tindell, Turner (Hamilton), Turner (Shelby),

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Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix,  
Mr. Speaker Naifeh -- 59.

Representatives voting no were: Allen, Anderson, Bittle,  
Callicott, Chiles, Coffey, Davis (Cocke), Davis (Knox), Duer,  
Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Hill,  
Holcomb, Hubbard, Huskey, Joyce, Liles, McAfee, McDaniel, McKee,  
Meyer, Niceley, Nuber, Peroulas Draper, Robinson (Washington),  
Severance, Shirley, Sipes, Stamps, Tullos, Venable, Williams  
(Union), Wood -- 38.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Jackson moved that the rules be suspended for the purpose  
of introducing House Joint Resolution No. 436, which was objected to  
by Rep. Copeland.

**House Joint Resolution No. 0436** -- General Assembly,  
Adjournment, Recess -- Provides for recess until August 5, 1991 at  
2:00 p.m. Amends HJR 413 adjournment resolution. by \*Jackson,  
\*Gunnels.

The motion to suspend the rules for introducing House Joint  
Resolution No. 436 failed by the following vote:

Ayes. . . . .	45
Noes. . . . .	46
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong,  
Arriola, Bell, Buck, Coffey, Cole, Collier, Crain, Curlee, Davis  
(Cocke), Davis (Gibson), DeBerry, Ferguson, Gunnels, Halteman, Haun,  
Hill, Holcomb, Hubbard, Huskey, Jackson, Johnson, Kent, Kernell,  
King, Knight, McKee, Meyer, Moore, Odom, Peroulas Draper, Phillips,  
Pinion, Purcell, Robinson (Hamilton), Robinson (Washington),  
Severance, Stamps, Venable, Walley, West, Whitson, Windle -- 45.

Representatives voting no were: Bittle, Bivens, Byrd,  
Callicott, Chiles, Chumney, Clark, Copeland, Davidson, Davis (Knox),  
Duer, Fowlkes, Givens, Haley, Hargrove, Hassell, Head, Herron,  
Hillis, Holt, Jones R (Shelby), Joyce, Kisber, Liles, Love, McAfee,  
McDaniel, Napier, Niceley, Nuber, Pruitt, Rhinehart, Ridgeway,  
Rigsby, Rinks, Robinson (Davidson), Shirley, Sipes, Tindell, Tullos,  
Turner (Hamilton), Turner (Shelby), Williams (Shelby), Williams  
(Union), Winningham, Wood -- 46.

Representatives present and not voting were: Bragg -- 1.

**REQUEST TO CHANGE VOTE**

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a

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desire to change my original stand from no to aye on the motion to suspend the rules for the immediate introduction of House Joint Resolution No. 436 and have this statement entered in the Journal.

Rep. H. E. Bittle

#### HOUSE ACTION ON SENATE MESSAGE

**Senate Bill No. 0715 -- Metropolitan Government --** Increases penalty for violation of adult entertainment laws from \$50 fine to Class C misdemeanor. Same as SB 788. Amends TCA, Title 7.

#### CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 715/HOUSE BILL NO. 78

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 715 (House Bill No. 78) has met and recommends that the following Senate Amendments be adopted: Senate Amendment No. 1. The committee further recommends that all House Amendments be deleted. The Committee further recommends that the following amendment be adopted:

AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. No officer of an electric system owned and operated by a metropolitan government shall receive any salary increase that excess ten percent (10%) of such officer's base salary for the previous year unless such increase is approved by a unanimous vote of the board.

Respectfully submitted the 20th day of June 1991.

Senator John Hicks  
Senator Joe Haynes  
Senator Thelma Harper

Representative Gary Odom  
Representative John Arriola  
Representative Robb Robinson

Rep. Odom moved that the Report of the Conference Committee on Senate Bill No. 715 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes. . . . .	82
Noes. . . . .	0
Present and not voting. . . . .	6

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Cole, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Ferguson, Garrett, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Kernell, King,

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Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Winningham, Wix, Wood, Mr. Speaker Naifeh -- 82.

Representatives present and not voting were: Callicott, Fowlkes, Herron, Joyce, Williams (Union), Windle -- 6.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Rhinehart moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 259 out of order, which motion prevailed.

**Senate Joint Resolution No. 0259 -- Naming and Designating -- Official Flag Day Poem.**

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Rhinehart, the resolution was concurred in.

A motion to reconsider was tabled.

**SPECIAL CONSENT CALENDAR**

**House Resolution No. 0145 -- Memorials, Interns -- Angelique Tomasello.** by \*Kernell, \*Tullos.

Introduced; placed on special consent calendar.

**House Resolution No. 0146 -- Memorials, Personal Achievement -- Carroll County schools valedictorians and salutatorians.** by \*Herron.

Introduced; placed on special consent calendar.

**House Joint Resolution No. 0440 -- Memorials, Professional and Business Achievement -- Cherry Jones, Tony Award nominee.** by \*Ridgeway.

Introduced; placed on special consent calendar.

**House Joint Resolution No. 0441 -- Memorials, Personal Occasion -- Earlie and Viola Cooper.** by \*Bittle.

Introduced; placed on special consent calendar.

**House Joint Resolution No. 0443 -- Memorials, Achievement --**

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Eagle Scout Troop 78. by \*Herron.

Introduced; placed on special consent calendar.

**Senate Joint Resolution No. 0305** -- Memorials, Recognition and Thanks -- Overton family reunion.

Placed on special consent calendar.

**Senate Joint Resolution No. 0306** -- Memorials, Sports -- Mary Lou Johns.

Placed on special consent calendar.

**Senate Joint Resolution No. 0314** -- Memorials, Public Service -- Former Jackson Mayor Bob Conger and former Commissioners Johnny Paarham and Ben Langford.

Placed on special consent calendar.

**Senate Joint Resolution No. 0315** -- Memorials, Personal Occasion -- Archie and Eudora Harmon, fiftieth wedding anniversary.

Placed on special consent calendar.

**Senate Joint Resolution No. 0316** -- Memorials, Death -- W.O. Smith.

Placed on special consent calendar.

**Senate Joint Resolution No. 0317** -- Memorials, Personal Achievement -- John Michael Brannon, Eagle Scout.

Placed on special consent calendar.

**Senate Joint Resolution No. 0318** -- Memorials, Interns -- Jeffrey Ireland Welch.

Placed on special consent calendar.

**Senate Joint Resolution No. 0319** -- Memorials, Personal Achievement -- Mark Shattuck, Algebra contest winner.

Placed on special consent calendar.

Rep. Phillips moved that all resolutions on the Special Consent Calendar be introduced, immediately considered, and that pursuant to **Rule No. 50**, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Special Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowikes, Garrett, Givens, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE MESSAGE**

**House Bill No. 0791 -- Education -- Repeals Title 49. Amends TCA, Title 49.**

**Senate Amendment No. 1**

AMEND House Bill No. 791 by deleting all provisions following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 3, Part 3, is amended by adding a new section thereto, as follows:

**Section 49-3-3\_\_\_.**

(a) For the 1991-1992 fiscal year, expenditures of funds provided to local education agencies by the provisions of this part for textbooks, pupil transportation, capital outlay, educational assistants, duty free lunches, and planning time for teachers, may be made without adhering to the specific categories or allocations for which such funds are provided for by this part.

(b) Any local education agency which wishes to expend state or local funds for purposes specified in subsection (a) for purposes or in programs or categories other than those for which funds are allocated or appropriated for in the Tennessee foundation program or other programs funded by this part shall submit a plan for such expenditures to the commissioner of education.

(c) In accordance with a plan filed with the commissioner, a local education agency may transfer state or local funds from purposes specified in subsection (a) to another program or allocation so long as the funds are transferred to an authorized educational program or purpose. Local education agencies are directed to give priority to maintaining classroom instruction in any transfer or plan.

SECTION 2. Tennessee Code Annotated, Section 49-5-5002, is amended by adding a new subsection thereto, as follows:

(g) For the 1991-1992 fiscal year, any funds appropriated for the extended contract provisions of subdivision (d)(2) or otherwise, may be expended by the local education agency for any authorized educational purpose, in accordance with a plan submitted to the commissioner of education for such expenditures. A local education agency is directed to give priority to maintaining classroom instruction in any expenditure.

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 1, Part 2, is amended by adding a new section thereto, as follows:

Section 49-1-2\_\_\_\_. The commissioner of education is authorized to waive any requirements of Title 49 and rules and regulations pursuant thereto necessary to implement the provisions of Sections 1 and 2 of this act during the 1991-1992 fiscal year.

SECTION 4. This act shall take effect July 1, 1991, the public welfare requiring it, and shall cease to be effective and is repealed June 30, 1992.

Rep. Davidson moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 791**, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom,

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Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**\*House Bill No. 0361** -- Motor Vehicles, Titling and Registration -- Enacts "Mandatory Motor Vehicle Insurance Act of 1991". Amends TCA, Title 55.

**Senate Amendment No. 2**

Amend House Bill No. 361 by deleting Sections 1 and 2 of the bill as amended by the House and substituting instead the following new Sections 1 and 2:

SECTION 1. Tennessee Code Annotated, Section 55-7-206, as amended by Chapter 258 of the Public Acts of 1991, is amended by deleting the following language:

( ) Notwithstanding any provision of law to the contrary, a violation of Section 55-7-204 and Section 55-7-201(c), is a Class C misdemeanor, punishable only by a fine of one thousand dollars (\$1,000).

and by substituting instead the following:

( ) Notwithstanding the provisions of this section or any other provision of law to the contrary, there shall be no penalty for a violation of Tennessee Code Annotated, Section 55-7-204 from the effective date of this act until July 1, 1992. After July 1, 1992, a violation of Tennessee Code Annotated, Section 55-7-204, is a Class C misdemeanor, punishable only by a fine of one thousand dollars (\$1,000).

( ) Notwithstanding any other provision of law to the contrary, a violation of the first sentence of Tennessee Code Annotated, Section 55-7-201(c), is a Class C misdemeanor, punishable only by a fine of one thousand dollars (\$1,000).

SECTION 2. Between the effective date of this act and January 1, 1992, the department of safety shall conduct a study of all aspects of bus safety. By January 10, 1992, the commissioner shall file a copy of the results of such study with the House and Senate Transportation committees.

Rep. Robinson (Davidson) moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 361**, which motion prevailed by the following vote:



Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Bill No. 0771 -- Taxes --** Provides for tax exemption of certain pollution control improvements and facilities. Amends TCA, Title 67.

**Senate Amendment No. 2**

Amend House Bill No. 771 by adding the following as new sections to be numbered accordingly:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 67-4-805(b)(2)(C), is amended by renumbering the current language of Item (C), and as Item (C) may be amended by this general assembly, as Subitem (i) and adding the following as Subitem (ii) of Item (C):

(ii) There shall be added to the net loss as determined for excise tax purposes, all nonbusiness earnings, all interest, dividends excluded from net earnings pursuant to Section 67-4-805 and any other income excluded from net earnings pursuant to Section 67-4-805.

Section \_\_\_\_\_. Notwithstanding the provisions of Tennessee Code Annotated, Section 67-1-1802, no excise tax paid prior to the effective date of this act which is attributed to the addition to the net loss of nonbusiness earnings, interest, dividends excluded from net earnings pursuant to Section 67-4-805 and any other income excluded from net earnings pursuant to Section 67-4-805 shall be refunded unless a properly documented refund claim is filled within thirty (30) days after the effective date of this act.

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Rep. Kisber moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 771**, which motion prevailed by the following vote:

Ayes. . . . .	85
Noes. . . . .	6

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Duer, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McKee, Meyer, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Winningham, Wix, Wood, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Davis (Knox), Ferguson, Niceley, Tullos, Williams (Union), Windle -- 6.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 0106** -- General Assembly, Studies -- Continues certain joint study committees created by 96th General Assembly.

**Senate Amendment No. 1**

AMEND House Joint Resolution No. 106 by adding the following item at the end of the first resolving clause regarding completing duties of study committees:

(4) The Special Committee to study an integrated computer system for the courts, created by Senate Joint Resolution 471 of the Ninety-sixth General Assembly.

AND FURTHER AMEND by deleting from the second resolving clause the language "the language of House Joint Resolution Nos. 329 and 785" and by substituting instead "the language of the appropriate resolutions".

AND FURTHER AMEND by deleting from the third resolving clause the language "House Joint Resolution Nos. 329 and 785" and by substituting instead the language "the appropriate resolutions".

Rep. DeBerry moved that the House concur in Senate Amendment(s) No(s). 1 to **House Joint Resolution No. 106**, which motion prevailed by the following vote:

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Ayes. . . . .	88
Noes. . . . .	3

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 88.

Representatives voting no were: Allen, Haun, Shirley -- 3.

A motion to reconsider was tabled.

**House Bill No. 1411** -- Education -- Provides for incremental implementation of public school nurse programs; establishes system of competitive grants for model urban and rural comprehensive school health programs. Amends TCA, Titles 49, 68.

**Senate Amendment No. 3**

Amend House Bill No. 1411 by deleting the fourth sentence of the amendatory language of Section 2(A) and substituting instead the following:

"The staff of each model program must also include, at a minimum, a certified pediatric or family nurse practitioner with adequate physician backup, and when possible, should also include a certified health education specialist and master social worker with adequate psychiatric backup."

Rep. Pruitt moved that the House concur in Senate Amendment(s) No(s). 3 to **House Bill No. 1411**, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce,

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Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh  
-- 92.

Representatives voting no were: Shirley -- 1.

A motion to reconsider was tabled.

**MOTION TO RECONSIDER**

Rep. Arriola moved to lift from the table the motion to reconsider Senate Bill No. 442, which motion prevailed.

**\*Senate Bill No. 0442 -- Liens --** Provides for collection of costs for removal of vegetation from certain lots and for repairs to certain structures. Amends TCA 6-54-113, 13-21-103.

Rep. Arriola moved to reconsider action in passing Senate Bill No. 442, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 1. On motion, Amendment No. 1 was withdrawn.

Rep. Clark moved to amend as follows:

**Amendment No. 2**

Amend Senate Bill No. 442 by deleting the sentence which reads:

"In the event a privately owned cemetery would otherwise meet the requirements of this section, and if a Boy Scout Troop, or other similar youth organization, were to remedy the conditions existing on such property, the municipality shall be prohibited from filing a lien against such property for the value of the work performed by such organization."

and by substituting instead the following sentence:

"In the event a privately owned cemetery would otherwise meet the requirements of this section, and if a Boy Scout Troop, or other similar organization, were to remedy the conditions existing on such property, the municipality shall be prohibited from filing a lien against such property for the value of the work performed by such organization."

On motion, Amendment No. 2 was adopted.

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Thereupon, Rep. Arriola moved that **Senate Bill No. 442**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	78
Noes. . . . .	8

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowikes, Garrett, Haley, Halteman, Hargrove, Hassell, Haun, Head, Hill, Hillis, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, Meyer, Moore, Napier, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Wood, Mr. Speaker Naifeh -- 78.

Representatives voting no were: Allen, Callicott, Harrill, Niceley, Robinson (Washington), Shirley, Williams (Union), Winningham -- 8.

A motion to reconsider was tabled.

### UNFINISHED BUSINESS

#### RULES SUSPENDED

Rep. Purcell moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 1593 can be heard by the State and Local Government Committee during recess today, which motion prevailed.

#### RULES SUSPENDED

Rep. Purcell moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 1593 can be heard by the Calendar and Rules Committee during recess today, which motion prevailed.

#### RULES SUSPENDED

Rep. Purcell moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Joint Resolution No. 418 can be heard by the Calendar and Rules Committee during recess today, which motion prevailed.

**THURSDAY, JUNE 20, 1991 -- FIFTY-THIRD LEGISLATIVE DAY**

**RULES SUSPENDED**

Rep. Purcell moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that Senate Joint Resolution No. 278 can be heard by the Calendar and Rules Committee during recess today, which motion prevailed.

**ENGROSSED BILLS**

**June 20, 1991**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 440, 441 and 443; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 759:** Rep(s) Clark and Garrett added as prime sponsor(s).

**House Bill No. 791:** Rep(s). Purcell added as prime sponsor(s).

**House Bill No. 1645:** Rep(s). DeBerry added as prime sponsor(s).

**ENGROSSED BILLS**

**June 20, 1991**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 442; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**June 20, 1991**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution(s) No(s). 279 and 442; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

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**MOTION TO RECESS**

On motion of Rep. Purcell, the House recessed until 5:00 p.m.

**REPORT FROM STANDING COMMITTEE**

**STATE AND LOCAL GOVERNMENT  
JUNE 20, 1991**

MR. SPEAKER: Your State and Local Government Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 1593.

LOVE, Chair.

Under the rules, House Bill(s) No(s). 1593 was/were transmitted to the Calendar and Rules Committee.

**REPORT OF COMMITTEE ON CALENDAR AND RULES  
JUNE 20, 1991**

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar** for **Thursday, June 20, 1991**: House Bill(s) No(s). 1593; Senate Joint Resolution No. 278; also, House Joint Resolution No. 418.

PHILLIPS, Chair.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Purcell, the roll call was dispensed with.

**CALENDAR, CONTINUED**

**\*House Bill No. 1593** -- County Government -- Increases membership of Knox County board of adjustment and enforcement. Amends TCA 13-7-106.

On motion, House Bill No. 1593 was made to conform with Senate Bill No. 1584.

On motion, **Senate Bill No. 1584**, on same subject, was substituted for House Bill No. 1593.

Rep. Hill moved that **Senate Bill No. 1584** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**Senate Joint Resolution No. 0278** -- Naming and Designating -- Bill of Rights Day.

Rep. Chumney moved that **Senate Joint Resolution No. 278** be concurred in, which motion prevailed.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 0418** -- General Assembly, Studies -- Creates special joint committee to perform comprehensive study of workers' compensation.

Rep. Purcell moved that **House Joint Resolution No. 418** be adopted, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood,



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Mr. Speaker Naifeh -- 93.

Representatives voting no were: Hubbard -- 1.

A motion to reconsider was tabled.

#### MOTION TO RECONSIDER

Rep. Arriola moved to lift from the table the motion to reconsider Senate Bill No. 442, which motion prevailed.

**\*Senate Bill No. 0442 -- Liens --** Provides for collection of costs for removal of vegetation from certain lots and for repairs to certain structures. Amends TCA 6-54-113, 13-21-103.

Rep. Arriola moved to reconsider action in passing Senate Bill No. 442, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 2. On motion, Amendment No. 2 was withdrawn.

Rep. Clark moved to amend as follows:

#### Amendment No. 3

Amend Senate Bill No. 442 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 6-54-113, is amended by adding the following language as a new, appropriately designated subsection:

( ) In the event a privately owned cemetery would otherwise meet the requirements of this section, and if a Boy Scout Troop, or other organization, were to remedy the conditions existing on such property, the municipality shall be prohibited from filing a lien against such property for the value of the work performed by such organization. Such organization shall be immune from any legal action for damages and no cause of action for civil or criminal liability may be brought by the owner of record of the cemetery or descendants of those buried in the cemetery against such organization so long as reasonable care is taken by such organization not to violate §46-2-105, §46-3-108 or any other provision of law, rule or regulation.

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Arriola moved that **Senate Bill No. 442**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. . . . .	81
Noes. . . . .	10
Present and not voting. . . . .	2

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Stamps, Tindeli, Tullios, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Wood, Mr. Speaker Naifeh -- 81.

Representatives voting no were: Allen, Anderson, Callicott, Harrill, Haun, McKee, Robinson (Washington), Williams (Union), Windle, Winningham -- 10.

Representatives present and not voting were: Joyce, Venable -- 2.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE  
June 20, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1522.

The Senate failed to adopt the Conference Committee Report.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MOTION TO RECESS**

On motion of Rep. Rhinehart, the House recessed until 6:30 p.m.

**ENGROSSED BILLS  
June 20, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 418; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**THURSDAY, JUNE 20, 1991 -- FIFTY-THIRD LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE  
June 20, 1991**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution(s) No(s). 418, 440, 441 and 443; concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Rep. Bivens.

On motion of Rep. Bell, the roll call was dispensed with.

**RULES SUSPENDED**

Rep. Herron moved that the rules be suspended for the purpose of introducing House Resolution No. 147 out of order, which motion prevailed.

**House Resolution No. 0147 --** Memorials, Interns -- James R Mitchell. by \*Herron.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Herron, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Herron moved that the rules be suspended for the purpose of introducing House Resolution No. 148 out of order, which motion prevailed.

**House Resolution No. 0148 --** Memorials, Interns -- Wade Sandrell. by \*Herron.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Herron, the resolution was adopted.

A motion to reconsider was tabled.

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**MESSAGE FROM SENATE  
June 20, 1991**

**MR. SPEAKER:** I am directed to request the return of House Bill No. 1522, for further consideration.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**Senate Bill No. 1522 -- Appropriations --** Makes appropriations to defray expenses of state government for fiscal year beginning July 1, 1991.

**HOUSE BILL RETURNED**

There being no objection, Rep. Bragg asked that the Clerk be directed to return **House Bill No. 1522** to the Senate as requested.

**MOTION TO RECESS**

On motion of Rep. Clark, the House recessed for 15 minutes.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Bell, the roll call was dispensed with.

**PARLIAMENTARY INQUIRY**

The time being after 7:00 p.m., Rep. McAfee asked for a ruling of the Chair as to the proper order of business of the House based on Rule No. 76.

**RULING OF THE CHAIR**

The Chair ruled that the adjournment resolution, House Joint Resolution No. 413, superseded Rule No. 76 in that it stated that the House would be adjourned "...at the conclusion of business in both houses." The Chair ruled that we were properly in session and could conduct business.

**RULES SUSPENDED**

Rep. Herron moved that the rules be suspended for the purpose of introducing House Resolution No. 149 out of order, which motion prevailed.

**House Resolution No. 0149 -- Memorials, Heroism --** Carroll and

**THURSDAY, JUNE 20, 1991 -- FIFTY-THIRD LEGISLATIVE DAY**

Weakley Countians serving in Operation Desert Storm. by \*Herron, \*Ridgeway.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Herron, the resolution was adopted.

A motion to reconsider was tabled.

**BILL RECALLED**

Rep. Niceley moved that the rules be suspended for the purpose of recalling Senate Joint Resolution No. 61 from the Education Committee for immediate consideration, which motion was objected to by Rep. Purcell.

**Senate Joint Resolution No. 0061** -- Memorials. Government Officials -- Encourages Board of Regents schools to offer more classes on firefighting and safety. by \*Crowe, \*Hicks.

Rep. Niceley withdrew the motion to recall Senate Joint Resolution No. 61.

**RULES SUSPENDED**

Rep. Armstrong moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 87 out of order, which motion prevailed.

**Senate Joint Resolution No. 0087** -- General Assembly, Joint Conventions -- Knoxville bicentennial, October 3, 1991.

Rep. Armstrong moved to amend as follows:

**Amendment No. 1**

AMEND Senate Joint Resolution No. 87 by deleting the first resolving clause in its entirety and by substituting the following:

BE IT RESOLVED BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, That notwithstanding the provisions of House Joint Resolution 413, the general assembly meet as a committee of the whole in Knoxville on October 3, 1991 at 11:00 a.m. (EST), in recognition of the city's 200th birthday and in honor of the Tennessee General Assembly, and adjourn thereafter to Tuesday, January 14, 1992 at 12:00 noon (CST).

AND FURTHER AMEND by adding after the second resolving clause the following language:

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BE IT FURTHER RESOLVED, That the Speaker of the Senate and the Speaker of the House of Representatives shall convene the meeting of the committee of the whole.

On motion, Amendment No. 1 was adopted.

On motion of Rep. Armstrong, the resolution was concurred in, as amended, by the following vote:

Ayes. . . . .	92
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

**SENATE BILLS TRANSMITTED AND HELD**

On motion, the Senate Bills listed were held on the desk as noted:

**\*Senate Bill No. 0414** -- District Attorneys -- Authorizes additional assistant district attorneys general and criminal investigators in 23rd judicial district. Amends TCA 16-2-506. (HB 0876).

Held pending third consideration of companion House Bill.

**Senate Bill No. 1075** -- Military -- Authorizes certain financial relief to national guardmen and reservists displaced by Persian Gulf Conflict. (\*HB 0446).

Held pending third consideration of companion House Bill.

**\*Senate Bill No. 1143** -- Taxes, Excise -- Revises allocation formula for cities and counties under bank excise tax revenues. Amends TCA 67-4-813. (HB 1412).

Held pending third consideration of companion House Bill.

**THURSDAY, JUNE 20, 1991 -- FIFTY-THIRD LEGISLATIVE DAY**

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

**House Bill No. 1646** -- School Districts Special -- Passed second consideration and held on Clerk's desk pending approval of local delegation.

**ANNOUNCEMENTS**

The Study Committee on The Structure of the House, created in 1989 by House Resolution No. 15, has completed its work and submitted its report, which is on file in the Clerk's Office.

**SELECT COMMITTEE APPOINTMENTS**

The Speaker announced that he had appointed the following committee to notify the Governor that the House has completed its business for this session and is ready to adjourn: Representatives Purcell, Chair; Arriola, Chumney, Ferguson, Fowlkes, Hargrove, Johnson, Knight, Rigsby, Rinks, Tindell and Windle.

The Speaker announced that he had appointed the following committee to notify the Senate that the House has completed its business for this session and is ready to adjourn: Representatives Chiles, Chair; Allen, Hill, Williams (Union), Walley, Venable, Tullos, Meyer, McKee, Liles, Haley and Joyce.

**MESSAGE FROM THE SENATE**

**June 20, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1522.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MOTION TO RECESS**

On motion of Rep. Mr. Speaker, the House recessed until the call of the Chair.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

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On motion of Rep. Bell, the roll call was dispensed with.

#### REPORTS OF SELECT COMMITTEES

Senator Burks, Chair; Elsea and McKnight notified the House that the Senate had completed its business for this session and was ready to adjourn.

Rep. Chiles reported to the House that the Senate had been notified that the House had completed its business for this session and was ready to adjourn.

Rep. Knight reported to the House that the Governor had been notified that the House had completed its business for this session and was ready to adjourn.

#### MESSAGE FROM THE SENATE

June 20, 1991

MR. SPEAKER: I am directed by the Senate to notify the House that the Senate has completed its business for the First Regular Session of the Ninety-seventh General Assembly and is ready to adjourn until 12:00 o'clock noon on January 14, 1992, in accordance with House Joint Resolution No. 413.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

#### ROLL CALL

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.



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**ADJOURNMENT**

Thereupon, in accordance with House Joint Resolution No. 413, Mr. Speaker Naifeh declared the First Regular Session of the House of Representatives of the Ninety-seventh General Assembly adjourned until twelve o'clock noon (12:00) on Tuesday, January 14, 1992.

**ARTICLE III, SECTION 18  
CONSTITUTION OF TENNESSEE**

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, all bills presented to the Governor on or after June 21, 1991, being in his possession within ten days (excepting Sundays) of receipt, his final action will be filed by him, with the Office of the Secretary of State.

Jimmy Naifeh, Speaker  
House of Representatives

ATTEST:

Larry Cole  
Chief Clerk  
House of Representatives

**BILLS AND RESOLUTIONS ENROLLED, SIGNED AND  
TRANSMITTED TO THE GOVERNOR  
SUBSEQUENT TO ADJOURNMENT**

Appendix of House Bills and Resolutions presented to the Speaker of the House of Representatives and the Speaker of the Senate for their signatures, and appendix of House Bills and Resolutions presented to the Governor with his action, as recorded by the Office of the Secretary of State.

**MESSAGE FROM THE SENATE  
June 21, 1991**

MR. SPEAKER: I am directed to return to the House, House

**THURSDAY, JUNE 20, 1991 -- FIFTY-THIRD LEGISLATIVE DAY**

Bill(s) No(s). 62, 322, 440, 867, 912, 1228 and 1361; also, House Joint Resolution(s) No(s). 33, 236, 269, 298, 406, 414, 415, 416, 417, 419, 420, 421, 422 and 423; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE  
June 21, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 145, 268, 308, 633, 1133, 1409 and 1523; also, Senate Joint Resolution(s) No(s). 80, 128, 239, 246, 307, 308 and 313; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK  
June 21, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 62, 322, 440, 867, 912, 1228 and 1361; also, House Joint Resolution(s) No(s). 33, 236, 269, 298, 406, 414, 415, 416, 417, 419, 420, 421, 422 and 423; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**ENROLLED BILLS  
June 21, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 361, 771, 776, 791, 885, 1157, 1411, 1588, 1618, 1626 and 1640; House Resolution(s) No(s). 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148 and 149; also, House Joint Resolution(s) No(s). 106, 149, 237, 279, 418, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 437, 438, 439, 440, 441, 442 and 443; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED  
June 21, 1991**

The Speaker announced that he had signed the following: House Bill(s) No(s). 361, 771, 776, 791, 885, 1157, 1411, 1588, 1618, 1626

**THURSDAY, JUNE 20, 1991 — FIFTY-THIRD LEGISLATIVE DAY**

and 1640; House Joint Resolution(s) No(s). 106, 149, 237, 279, 418, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 437, 438, 439, 440, 441, 442 and 443; also, House Resolution(s) No(s). 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148 and 149.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED**  
**June 24, 1991**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 145, 268, 308, 633, 1133, 1409 and 1523; also, Senate Joint Resolution(s) No(s). 80, 128, 239, 246, 307, 308 and 313.

**MESSAGE FROM THE GOVERNOR**  
**June 25, 1991**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 62, 322, 440, 457, 519, 861, 867, 912, 1228, 1361, 1407, 1523, 1590, 1591, 1603, 1604, 1614, 1615, 1617, 1619, 1620, 1625, 1633, 1634, 1635 and 1636; also, House Joint Resolution(s) No(s). 33, 231, 236, 269, 298, 385, 386, 387, 388, 389, 390, 392, 393, 394, 396, 397, 399, 401, 403, 405, 406, 407, 408, 410, 411, 413, 414, 415, 416, 417, 419, 420, 421, 422 and 423; with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

**ENROLLED BILLS**  
**June 25, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills(s) No(s). 1522; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED**  
**June 25, 1991**

The Speaker announced that he had signed the following: House Bill(s) No(s). 1522.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**THURSDAY, JUNE 20, 1991 -- FIFTY-THIRD LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

**June 25, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 361, 771, 776, 791, 885, 1157, 1411, 1522, 1588, 1618, 1626 and 1640; also, House Joint Resolution(s) No(s). 106, 149, 237, 279, 418, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 437, 438, 439, 440, 441, 442 and 443; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**June 25, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1522; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**June 25, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 64, 278, 442, 827 and 1584; also, Senate Joint Resolution(s) No(s). 87, 259, 278, 305, 306, 309, 311, 314, 315, 316, 317, 318 and 319; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**June 25, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 361, 771, 776, 791, 885, 1157, 1411, 1588, 1618, 1626 and 1640; also, House Joint Resolution(s) No(s). 106, 149, 237, 279, 418, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 437, 438, 439, 440, 441, 442 and 443; for his action.

BETTY KAY FRANCIS,  
Chief Engrossing Clerk.

**SIGNED**

**June 25, 1991**

The Speaker announced that he had signed the following: Senate

**THURSDAY, JUNE 20, 1991 -- FIFTY-THIRD LEGISLATIVE DAY**

Bill(s) No(s). 64, 278, 442, 715, 827 and 1584; also, Senate Joint Resolution(s) No(s). 87, 259, 278, 305, 306, 309, 311, 314, 315, 316, 317, 318 and 319.

**MESSAGE FROM THE GOVERNOR  
June 25, 1991**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 1641, with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR  
June 28, 1991**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill(s) No(s). 361, 771, 776, 791, 885, 1157, 1411, 1522, 1588 and 1640, with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR  
June 28, 1991**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 106, 149, 237, 279, 418, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 437, 438, 439, 440, 441, 442 and 443; with his approval.

DAVID H. WELLES,  
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR  
July 1, 1991**

MR. SECRETARY OF STATE: I am directed by the Governor to return herewith: House Bill No. 1629, without his signature.

DAVID H. WELLES,  
Counsel to the Governor.

July 1, 1991

The Honorable Bryant Millsaps  
Secretary of State  
State Capitol  
Nashville, TN 37243

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**RE: House Bill 1629**

**Dear Mr. Millsaps:**

I hereby return House Bill 1629 without my signature.

Sincerely,  
/s/Ned McWherter

**MESSAGE FROM THE GOVERNOR  
July 8, 1991**

**MR. SECRETARY OF STATE:** I am directed by the Governor to return herewith: House Bill(s) No(s). 1618 and 1626, without his signature.

**DAVID H. WELLES,**  
Counsel to the Governor.

July 8, 1991

The Honorable Bryant Millsaps  
Secretary of State  
State Capitol  
Nashville, TN 37243

**RE: House Bill 1618**

**Dear Mr. Millsaps:**

I hereby return House Bill 1618 without my signature.

Sincerely,  
/s/Ned McWherter

July 8, 1991

The Honorable Bryant Millsaps  
Secretary of State  
State Capitol  
Nashville, TN 37243

**RE: House Bill 1626**

**Dear Mr. Millsaps:**

I hereby return House Bill 1626 without my signature.

Sincerely,  
/s/Ned McWherter